
TABLE OF CONTENTS

CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

Cumulative Table.....3347

PETITIONS FOR RULEMAKING

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF COUNSELING

Agency Decision

Regulations Governing the Practice of Professional Counseling (18 VAC 115-20).....3357

BOARD OF DENTISTRY

Agency Decision

Regulations Governing the Practice of Dentistry and Dental Hygiene (18 VAC 60-20).3357

Initial Agency Notice

Regulations Governing the Practice of Dentistry and Dental Hygiene (18 VAC 60-20).3357

BOARD OF MEDICINE

Initial Agency Notice - Extension of Comment Period

Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry and Chiropractic (18 VAC 85-20).3357

NOTICES OF INTENDED REGULATORY ACTION

TITLE 9. ENVIRONMENT

State Air Pollution Control Board3359

TITLE 12. HEALTH

Department of Medical Assistance Services3360

TITLE 16. LABOR AND EMPLOYMENT

Department of Labor and Industry3361

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

Board of Dentistry.....3361

Board of Funeral Directors and Embalmers3362

Board of Medicine.....3362

Board of Nursing.....3362

Board of Pharmacy3362

TITLE 22. SOCIAL SERVICES

State Board of Social Services.....3363

PROPOSED REGULATIONS

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Regulations Governing the Reenrollment of Students Committed to the Department of Juvenile Justice (adding 8 VAC 20-660-10 through 8 VAC 20-660-40).3364

TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

STATE CORPORATION COMMISSION

REVISED PROPOSED

Telecommunications (repealing 20 VAC 5-400-80).3369

Rules for Local Exchange Telecommunications Company Service Quality Standards (adding 20 VAC 5-427-10 through 20 VAC 5-427-170).....3369

FINAL REGULATIONS

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Variance for International Paper Franklin Paper Mill (adding 9 VAC 5-230-10 through 9 VAC 5-230-120).3385

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF PHARMACY

Regulations Governing the Practice of Pharmacy (adding 18 VAC 110-20-276 and 18 VAC 110-20-515).....3390

FAST-TRACK REGULATIONS

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Objection to Fast-Track Rulemaking

Eligibility Conditions and Requirements (amending 12 VAC 30-40-290 and 12 VAC 30-40-300).....3394

Table of Contents

GOVERNOR

EXECUTIVE ORDERS

A Continuation and Modification of the Declaration of a State of Emergency for the Commonwealth of Virginia Due to the Significant Flooding and Wind Damage Caused By Hurricane Isabel (88-2005) 3395

Purchase, Assignment and Use of State-Owned Vehicles (89-2005) 3395

GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

Administrative Letter 2005-13..... 3397

DEPARTMENT OF ENVIRONMENTAL QUALITY

Total Maximum Daily Loads (TMDL) for Jackson River Watershed 3397

OFFICE OF THE GOVERNOR

Strategic Plan Public Hearings 3398

DEPARTMENT OF HEALTH

State WIC Plan 3398

STATE WATER CONTROL BOARD

Proposed Consent Special Order for Commercial Carrier Corporation..... 3399

Proposed Consent Special Order for Noor Oil..... 3399

Proposed Consent Order for Prince George County, Virginia 3399

Proposed Consent Special Order for Raphine Environmental Improvement Company, L.L.C..... 3400

Proposed Consent Special Order for the Town of Woodstock 3400

Proposed Consent Special Order for Two Greens/Kirkpatrick L.L.C..... 3400

VIRGINIA CODE COMMISSION

Notice to State Agencies 3401

Forms for Filing Material for Publication in the Virginia Register of Regulations 3401

ERRATA

STATE AIR POLLUTION CONTROL BOARD

Permits for Stationary Sources (9 VAC 5-80). 3401

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

Board for Waste Management Facility Operators (18 VAC 155-20). 3402

CALENDAR OF EVENTS

EXECUTIVE

Open Meetings and Public Hearings..... 3403

INDEPENDENT

Open Meetings and Public Hearings..... 3427

LEGISLATIVE

Open Meetings and Public Hearings..... 3428

CHRONOLOGICAL LIST

Open Meetings 3431

Public Hearings..... 3433

CUMULATIVE TABLE OF VIRGINIA ADMINISTRATIVE CODE SECTIONS ADOPTED, AMENDED, OR REPEALED

The table printed below lists regulation sections, by Virginia Administrative Code (VAC) title, that have been amended, added or repealed in the *Virginia Register* since the regulations were originally published or last supplemented in VAC (the Spring 2005 VAC Supplement includes final regulations published through *Virginia Register* Volume 21, Issue 11, dated February 7, 2005). Emergency regulations, if any, are listed, followed by the designation "emer," and errata pertaining to final regulations are listed. Proposed regulations are not listed here. The table lists the sections in numerical order and shows action taken, the volume, issue and page number where the section appeared, and the effective date of the section.

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 1. Administration			
1 VAC 55-30-10 through 1 VAC 55-30-90 emer	Added	21:19 VA.R. 2599-2602	5/16/05-5/15/06
Title 3. Alcoholic Beverages			
3 VAC 5-30-10	Amended	21:19 VA.R. 2530	6/29/05
3 VAC 5-30-30	Amended	21:19 VA.R. 2531	6/29/05
3 VAC 5-30-60	Amended	21:19 VA.R. 2532	6/29/05
3 VAC 5-30-70	Amended	21:19 VA.R. 2533	6/29/05
3 VAC 5-40-20	Amended	21:19 VA.R. 2533	6/29/05
3 VAC 5-40-20	Amended	21:19 VA.R. 2533	6/29/05
3 VAC 5-40-40	Amended	21:19 VA.R. 2533	6/29/05
3 VAC 5-40-50	Amended	21:19 VA.R. 2533	6/29/05
3 VAC 5-40-50	Amended	21:19 VA.R. 2533	6/29/05
3 VAC 5-70-220	Added	21:19 VA.R. 2533	6/29/05
Title 4. Conservation and Natural Resources			
4 VAC 15-40-20	Amended	21:23 VA.R. 3235	8/24/05
4 VAC 15-40-21	Added	21:23 VA.R. 3235	8/24/05
4 VAC 15-380-120	Readopting	21:23 VA.R. 3236	8/24/05
4 VAC 20-110-20	Amended	21:21 VA.R. 2900	6/1/05
4 VAC 20-170-10 emer	Amended	21:16 VA.R. 2219	4/1/05-4/30/05
4 VAC 20-170-30 emer	Amended	21:16 VA.R. 2219	4/1/05-4/30/05
4 VAC 20-170-30	Amended	21:18 VA.R. 2372	5/1/05
4 VAC 20-252-50	Amended	21:13 VA.R. 1824	2/2/05
4 VAC 20-252-55	Amended	21:13 VA.R. 1824	2/2/05
4 VAC 20-252-130	Amended	21:13 VA.R. 1825	2/2/05
4 VAC 20-252-135 emer	Added	21:16 VA.R. 2219	4/1/05-4/30/05
4 VAC 20-252-135	Added	21:18 VA.R. 2372	5/1/05
4 VAC 20-252-150	Amended	21:13 VA.R. 1825	2/2/05
4 VAC 20-252-160	Amended	21:13 VA.R. 1826	2/2/05
4 VAC 20-270-30 emer	Amended	21:23 VA.R. 3290	6/29/05-7/28/05
4 VAC 20-320-20 emer	Amended	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-320-20	Amended	21:18 VA.R. 2373	5/1/05
4 VAC 20-320-65 emer	Added	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-320-65	Added	21:18 VA.R. 2373	5/1/05
4 VAC 20-390-20 through 4 VAC 20-390-50	Amended	21:22 VA.R. 3089-3092	7/1/05
4 VAC 20-430-10 emer	Amended	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-430-10	Amended	21:18 VA.R. 2373	5/1/05
4 VAC 20-430-15 emer	Amended	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-430-15	Amended	21:18 VA.R. 2373	5/1/05
4 VAC 20-430-65 emer	Added	21:16 VA.R. 2220	4/1/05-4/30/05
4 VAC 20-430-65	Added	21:18 VA.R. 2373	5/1/05
4 VAC 20-450-30	Amended	21:13 VA.R. 1827	2/2/05
4 VAC 20-620-20	Amended	21:21 VA.R. 2900	6/1/05
4 VAC 20-620-40	Amended	21:14 VA.R. 1992	3/1/05
4 VAC 20-620-50	Amended	21:14 VA.R. 1993	3/1/05
4 VAC 20-620-60	Amended	21:14 VA.R. 1993	3/1/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
4 VAC 20-620-70	Amended	21:14 VA.R. 1994	3/1/05
4 VAC 20-720-10 emer	Amended	21:12 VA.R. 1563	2/1/05-2/28/05
4 VAC 20-720-20 emer	Amended	21:12 VA.R. 1563	2/1/05-2/28/05
4 VAC 20-720-20	Amended	21:14 VA.R. 1994	3/1/05
4 VAC 20-720-40 emer	Amended	21:12 VA.R. 1564	2/1/05-2/28/05
4 VAC 20-720-40	Amended	21:14 VA.R. 1995	3/1/05
4 VAC 20-720-49 emer	Added	21:14 VA.R. 2016	3/1/05-3/9/05
4 VAC 20-720-50 emer	Amended	21:12 VA.R. 1564	2/1/05-2/28/05
4 VAC 20-720-50	Amended	21:14 VA.R. 1995	3/1/05
4 VAC 20-720-60 emer	Amended	21:12 VA.R. 1565	2/1/05-2/28/05
4 VAC 20-720-110 emer	Amended	21:12 VA.R. 1565	2/1/05-2/28/05
4 VAC 20-910	Erratum	21:20 VA.R. 2736	--
4 VAC 20-910-45	Amended	21:13 VA.R. 1827	2/2/05
4 VAC 20-910-45	Amended	21:21 VA.R. 2901	6/1/05
4 VAC 20-920-45	Added	21:8 VA.R. 914	12/1/04
4 VAC 20-950-45	Amended	21:16 VA.R. 2191	4/1/05
4 VAC 20-950-48	Amended	21:13 VA.R. 1828	2/2/05
4 VAC 20-1065-10 through 4 VAC 20-1065-40	Added	21:12 VA.R. 1523	2/1/05
4 VAC 20-1080-10 through 4 VAC 20-1080-50 emer	Added	21:16 VA.R. 2221	4/1/05-4/30/05
4 VAC 20-1080-10 through 4 VAC 20-1080-50	Added	21:18 VA.R. 2374	5/1/05
4 VAC 25-130 (Forms)	Amended	21:22 VA.R. 3106	--
Title 6. Criminal Justice and Corrections			
6 VAC 20-130-60	Amended	21:16 VA.R. 2192	5/18/05
6 VAC 20-180-10 through 6 VAC 20-180-50	Amended	21:14 VA.R. 1996-1998	4/20/05
6 VAC 20-180-60	Added	21:14 VA.R. 1998	4/20/05
6 VAC 20-250-10 through 6 VAC 20-250-360 emer	Added	21:21 VA.R. 2914-2925	7/1/05-6/30/06
6 VAC 35-140-10	Amended	21:19 VA.R. 2534	7/1/05
6 VAC 35-140-20	Amended	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-22	Added	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-23	Added	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-24	Added	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-30	Amended	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-40	Amended	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-45	Added	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-50 through 6 VAC 35-140-90	Amended	21:19 VA.R. 2536	7/1/05
6 VAC 35-140-110 through 6 VAC 35-140-140	Amended	21:19 VA.R. 2537	7/1/05
6 VAC 35-140-170 through 6 VAC 35-140-190	Amended	21:19 VA.R. 2537	7/1/05
6 VAC 35-140-192	Added	21:19 VA.R. 2537	7/1/05
6 VAC 35-140-200 through 6 VAC 35-140-230	Amended	21:19 VA.R. 2537	7/1/05
6 VAC 35-140-250 through 6 VAC 35-140-270	Amended	21:19 VA.R. 2537	7/1/05
6 VAC 35-140-275	Added	21:19 VA.R. 2537	7/1/05
6 VAC 35-140-280	Amended	21:19 VA.R. 2537	7/1/05
6 VAC 35-140-290	Amended	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-295	Added	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-300 through 6 VAC 35-140-350	Amended	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-385 through 6 VAC 35-140-389	Added	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-400	Amended	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-430 through 6 VAC 35-140-500	Amended	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-510	Repealed	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-530	Amended	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-540	Amended	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-545	Added	21:19 VA.R. 2538	7/1/05
6 VAC 35-140-550 through 610	Amended	21:19 VA.R. 2538-2540	7/1/05
6 VAC 35-140-615	Added	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-620	Amended	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-630	Amended	21:19 VA.R. 2540	7/1/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
6 VAC 35-140-660	Amended	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-670	Amended	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-680	Amended	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-685	Added	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-690	Amended	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-700	Amended	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-701 through 6 VAC 35-140-709	Added	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-711 through 6 VAC 35-140-715	Added	21:19 VA.R. 2540	7/1/05
6 VAC 35-140-730 through 6 VAC 35-140-770	Amended	21:19 VA.R. 2540	7/1/05
Title 8. Education			
8 VAC 20-21-580	Amended	21:15 VA.R. 2111	5/5/05
8 VAC 20-30-10 through 8 VAC 20-30-40	Amended	21:22 VA.R. 3092-3093	8/15/05
8 VAC 20-30-50	Repealed	21:22 VA.R. 3093	8/15/05
8 VAC 20-30-60	Amended	21:22 VA.R. 3093	8/15/05
8 VAC 20-30-70	Amended	21:22 VA.R. 3093	8/15/05
8 VAC 20-90-10	Amended	21:14 VA.R. 1999	5/2/05
8 VAC 20-90-30	Amended	21:14 VA.R. 2000	5/2/05
8 VAC 20-90-40	Amended	21:14 VA.R. 2003	5/2/05
8 VAC 20-90-70	Amended	21:14 VA.R. 2003	5/2/05
8 VAC 20-210-10	Erratum	21:13 VA.R. 1941	--
8 VAC 20-520-5 emer	Added	21:14 VA.R. 2016	3/1/05-2/28/06
8 VAC 20-520-10 emer	Repealed	21:14 VA.R. 2017	3/1/05-2/28/06
8 VAC 20-520-20 through 8 VAC 20-520-60 emer	Added	21:14 VA.R. 2017-2018	3/1/05-2/28/06
8 VAC 20-680-10	Added	21:12 VA.R. 1559	5/9/05
8 VAC 20-680-20	Added	21:12 VA.R. 1559	5/9/05
8 VAC 20-690-10 through 8 VAC 20-690-50	Added	21:12 VA.R. 1525	3/29/05
8 VAC 20-700-10 through 8 VAC 20-700-50 (emer)	Added	21:13 VA.R. 1928-1929	2/16/05-2/15/06
8 VAC 40-20-20	Amended	21:22 VA.R. 3102	9/28/05
8 VAC 40-20-30	Amended	21:22 VA.R. 3103	9/28/05
Title 9. Environment			
9 VAC 5-10-20	Amended	21:15 VA.R. 2112	5/4/05
9 VAC 5-20-204	Amended	21:15 VA.R. 2119	5/4/05
9 VAC 5-40-6620	Amended	21:15 VA.R. 2120	5/4/05
9 VAC 5-40-7260	Erratum	21:13 VA.R. 1941	--
9 VAC 5-40-7270	Erratum	21:13 VA.R. 1941	--
9 VAC 5-50-260	Amended	21:19 VA.R. 2577	8/29/05
9 VAC 5-60-92	Added	21:19 VA.R. 2577	8/29/05
9 VAC 5-80-1100	Amended	21:19 VA.R. 2577	8/29/05
9 VAC 5-80-1110	Amended	21:19 VA.R. 2578	8/29/05
9 VAC 5-80-1120	Amended	21:19 VA.R. 2583	8/29/05
9 VAC 5-80-1140	Amended	21:19 VA.R. 2584	8/29/05
9 VAC 5-80-1160	Amended	21:19 VA.R. 2584	8/29/05
9 VAC 5-80-1170	Amended	21:19 VA.R. 2584	8/29/05
9 VAC 5-80-1280	Amended	21:19 VA.R. 2585	8/29/05
9 VAC 5-80-1290	Amended	21:19 VA.R. 2586	8/29/05
9 VAC 5-80-1300	Amended	21:19 VA.R. 2586	8/29/05
9 VAC 5-80-1320	Amended	21:19 VA.R. 2587	8/29/05
9 VAC 5-91-20	Amended	21:19 VA.R. 2541	6/29/05
9 VAC 5-91-160	Amended	21:19 VA.R. 2547	6/29/05
9 VAC 5-91-180	Amended	21:19 VA.R. 2547	6/29/05
9 VAC 5-91-740	Amended	21:19 VA.R. 2548	6/29/05
9 VAC 5-91-741	Added	21:19 VA.R. 2548	6/29/05
9 VAC 5-91-742	Added	21:19 VA.R. 2548	6/29/05
9 VAC 5-91-743	Added	21:19 VA.R. 2548	6/29/05
9 VAC 5-91-750	Amended	21:19 VA.R. 2548	6/29/05
9 VAC 5-91-760	Amended	21:19 VA.R. 2548	6/29/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
9 VAC 20-20-20	Amended	21:20 VA.R. 2668	7/13/05
9 VAC 20-20-40	Amended	21:20 VA.R. 2668	7/13/05
9 VAC 20-20-60	Amended	21:20 VA.R. 2668	7/13/05
9 VAC 20-20-80	Amended	21:20 VA.R. 2669	7/13/05
9 VAC 20-20-100	Amended	21:20 VA.R. 2669	7/13/05
9 VAC 20-20-110 through 9 VAC 20-20-150	Amended	21:20 VA.R. 2669	7/13/05
9 VAC 20-20-160	Added	21:20 VA.R. 2669	7/13/05
9 VAC 20-30-30	Amended	21:20 VA.R. 2670	7/13/05
9 VAC 20-30-50	Amended	21:20 VA.R. 2670	7/13/05
9 VAC 20-30-70 through 9 VAC 20-30-120	Amended	21:20 VA.R. 2670	7/13/05
9 VAC 20-30-130	Added	21:20 VA.R. 2671	7/13/05
9 VAC 20-40-20	Amended	21:20 VA.R. 2671	7/13/05
9 VAC 20-40-40 through 9 VAC 20-40-150	Amended	21:20 VA.R. 2671-2680	7/13/05
9 VAC 20-40-160	Added	21:20 VA.R. 2680	7/13/05
9 VAC 20-50-20	Amended	21:20 VA.R. 2680	7/13/05
9 VAC 20-50-40 through 9 VAC 20-50-100	Amended	21:20 VA.R. 2680-2693	7/13/05
9 VAC 20-50-110	Added	21:20 VA.R. 2693	7/13/05
9 VAC 20-70-290	Amended	21:20 VA.R. 2693	7/13/05
9 VAC 20-80 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 20-130 (Forms)	Amended	21:13 VA.R. 1930	--
9 VAC 25-31-10	Erratum	21:13 VA.R. 1941	--
9 VAC 25-31-100	Erratum	21:14 VA.R. 2022	--
9 VAC 25-31-120	Erratum	21:13 VA.R. 1941	--
9 VAC 25-40-10	Amended	21:23 VA.R. 3236	Suspended
9 VAC 25-40-20	Repealed	21:23 VA.R. 3236	Suspended
9 VAC 25-40-25	Added	21:23 VA.R. 3236	Suspended
9 VAC 25-40-30	Amended	21:23 VA.R. 3236	Suspended
9 VAC 25-40-40	Amended	21:23 VA.R. 3237	Suspended
9 VAC 25-40-50	Amended	21:23 VA.R. 3237	Suspended
9 VAC 25-40-70	Added	21:23 VA.R. 3237	Suspended
9 VAC 25-260-5	Amended	21:18 VA.R. 2375	6/24/05
9 VAC 25-260-10	Amended	21:18 VA.R. 2375	6/24/05
9 VAC 25-260-30	Amended	21:22 VA.R. 3094	8/10/05
9 VAC 25-260-30	Amended	21:22 VA.R. 3094	8/10/05
9 VAC 25-260-30	Amended	21:22 VA.R. 3094	8/10/05
9 VAC 25-260-30	Amended	21:22 VA.R. 3094	8/10/05
9 VAC 25-260-50	Amended	21:18 VA.R. 2377	6/24/05
9 VAC 25-260-185	Added	21:18 VA.R. 2377	6/24/05
9 VAC 25-260-186	Added	21:18 VA.R. 2379	6/24/05
9 VAC 25-260-310	Amended	21:23 VA.R. 3250	Suspended
9 VAC 25-260-350	Amended	21:18 VA.R. 2379	6/24/05
9 VAC 25-260-410	Amended	21:23 VA.R. 3252	Suspended
9 VAC 25-260-530	Amended	21:23 VA.R. 3252	Suspended
9 VAC 25-720-10	Amended	21:23 VA.R. 3238	Suspended
9 VAC 25-720-30 through 9 VAC 25-720-70	Amended	21:23 VA.R. 3240-3246	Suspended
9 VAC 25-720-50	Amended	21:12 VA.R. 1526	3/23/05
9 VAC 25-720-60	Amended	21:17 VA.R. 2302	6/1/05
9 VAC 25-720-80	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-80	Amended	21:17 VA.R. 2302	6/1/05
9 VAC 25-720-90	Amended	21:12 VA.R. 1527	3/23/05
9 VAC 25-720-100	Amended	21:17 VA.R. 2303	6/1/05
9 VAC 25-720-110	Amended	21:23 VA.R. 3247	Suspended
9 VAC 25-720-120	Amended	21:23 VA.R. 3247	Suspended
9 VAC 25-720-130	Amended	21:12 VA.R. 1528	3/23/05
9 VAC 25-720-130	Amended	21:17 VA.R. 2303	6/1/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
Title 11. Gaming			
11 VAC 10-70-20	Amended	21:22 VA.R. 3094	6/17/05
11 VAC 10-70-30	Amended	21:22 VA.R. 3095	6/17/05
11 VAC 10-70-40	Amended	21:22 VA.R. 3095	6/17/05
11 VAC 10-70-50	Repealed	21:22 VA.R. 3095	6/17/05
11 VAC 10-70-60	Amended	21:22 VA.R. 3095	6/17/05
11 VAC 10-70-70	Amended	21:22 VA.R. 3096	6/17/05
11 VAC 10-70-80	Amended	21:22 VA.R. 3096	6/17/05
11 VAC 10-70-90	Amended	21:22 VA.R. 3096	6/17/05
11 VAC 10-70-170	Amended	21:22 VA.R. 3096	6/17/05
11 VAC 10-90-10	Amended	21:22 VA.R. 3097	6/17/05
11 VAC 10-90-30	Amended	21:22 VA.R. 3097	6/17/05
11 VAC 10-90-50	Amended	21:22 VA.R. 3097	6/17/05
11 VAC 10-180-10	Amended	21:16 VA.R. 2197	5/18/05
11 VAC 10-180-20	Amended	21:16 VA.R. 2193	3/31/03
11 VAC 10-180-20	Amended	21:16 VA.R. 2198	5/18/05
11 VAC 10-180-30	Repealed	21:16 VA.R. 2199	5/18/05
11 VAC 10-180-40	Repealed	21:16 VA.R. 2200	5/18/05
11 VAC 10-180-50	Repealed	21:16 VA.R. 2200	5/18/05
11 VAC 10-180-60	Amended	21:16 VA.R. 2194	3/31/03
11 VAC 10-180-60 through 11 VAC 10-180-90	Amended	21:16 VA.R. 2202-2207	5/18/05
11 VAC 10-180-80	Amended	21:16 VA.R. 2196	3/31/03
11 VAC 10-180-85	Added	21:16 VA.R. 2206	5/18/05
11 VAC 10-180-90	Amended	21:16 VA.R. 2197	3/31/03
11 VAC 10-180-100	Added	21:16 VA.R. 2207	5/18/05
11 VAC 10-180-110	Added	21:16 VA.R. 2207	5/18/05
Title 12. Health			
12 VAC 5-390-10 through 12 VAC 5-390-660	Repealed	21:23 VA.R. 3254	11/1/05
12 VAC 5-391-10 through 12 VAC 5-391-500	Added	21:23 VA.R. 3254-3272	11/1/05
12 VAC 5-410-10	Amended	21:12 VA.R. 1561	5/9/05
12 VAC 5-590-10	Amended	21:13 VA.R. 1829	4/6/05
12 VAC 5-590-140	Amended	21:16 VA.R. 2209	5/18/05
12 VAC 5-590-150	Amended	21:16 VA.R. 2212	5/18/05
12 VAC 5-590-370	Amended	21:13 VA.R. 1835	4/6/05
12 VAC 5-590-410	Amended	21:13 VA.R. 1860	4/6/05
12 VAC 5-590-420	Amended	21:13 VA.R. 1863	4/6/05
12 VAC 5-590-500	Amended	21:13 VA.R. 1879	4/6/05
12 VAC 5-590-530	Amended	21:13 VA.R. 1880	4/6/05
12 VAC 5-590-540	Amended	21:13 VA.R. 1886	4/6/05
12 VAC 5-590-550	Amended	21:13 VA.R. 1890	4/6/05
12 VAC 5-590, Appendix L	Amended	21:13 VA.R. 1891	4/6/05
12 VAC 5-590, Appendix M	Amended	21:13 VA.R. 1897	4/6/05
12 VAC 5-590, Appendix O	Amended	21:13 VA.R. 1901	4/6/05
12 VAC 30-40-290	Amended	21:15 VA.R. 2128	6/20/05
12 VAC 30-40-300	Amended	21:15 VA.R. 2130	6/20/05
12 VAC 30-50-190 emer	Amended	21:23 VA.R. 3291	7/1/05-6/30/06
12 VAC 30-50-300	Amended	21:22 VA.R. 3098	8/10/05
12 VAC 30-50-490 emer	Amended	21:12 VA.R. 1566	2/1/05-1/31/06
12 VAC 30-50-520 emer	Amended	21:20 VA.R. 2715	5/27/05-5/26/06
12 VAC 30-50-530	Amended	21:22 VA.R. 3098	8/10/05
12 VAC 30-60-40 emer	Amended	21:20 VA.R. 2716	7/1/05-6/30/06
12 VAC 30-60-70	Amended	21:19 VA.R. 2592	8/15/05
12 VAC 30-60-350 emer	Amended	21:20 VA.R. 2717	7/1/05-6/30/06
12 VAC 30-70-291 emer	Amended	21:20 VA.R. 2720	5/12/05-5/11/06
12 VAC 30-70-291	Amended	21:23 VA.R. 3274	9/1/05
12 VAC 30-70-291 emer	Amended	21:23 VA.R. 3299	7/1/05-6/30/06

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
12 VAC 30-70-301	Amended	21:14 VA.R. 2014	6/6/05
12 VAC 30-70-301	Amended	21:23 VA.R. 3274	9/1/05
12 VAC 30-70-331	Amended	21:20 VA.R. 2696	7/14/05
12 VAC 30-70-391	Amended	21:23 VA.R. 3275	9/1/05
12 VAC 30-70-425 emer	Amended	21:23 VA.R. 3292	7/1/05-6/30/06
12 VAC 30-70-426 emer	Repealed	21:23 VA.R. 3293	7/1/05-6/30/06
12 VAC 30-80-20 emer	Amended	21:23 VA.R. 3293	7/1/05-6/30/06
12 VAC 30-80-30 emer	Amended	21:23 VA.R. 3296	7/1/05-6/30/06
12 VAC 30-80-40	Amended	21:15 VA.R. 2121	7/1/05
12 VAC 30-80-190	Amended	21:23 VA.R. 3275	9/1/05
12 VAC 30-90-19 emer	Amended	21:23 VA.R. 3298	7/1/05-6/30/06
12 VAC 30-90-41	Amended	21:15 VA.R. 2136	7/1/05
12 VAC 30-90-41 emer	Amended	21:20 VA.R. 2717	7/1/05-6/30/06
12 VAC 30-120-10 through 12 VAC 30-120-60 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-380 emer	Amended	21:20 VA.R. 2721	7/1/05-6/30/06
12 VAC 30-120-490 through 12 VAC 30-120-550 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-700 emer	Amended	21:12 VA.R. 1568	2/1/05-1/31/06
12 VAC 30-120-710 emer	Amended	21:12 VA.R. 1572	2/1/05-1/31/06
12 VAC 30-120-720 emer	Amended	21:12 VA.R. 1572	2/1/05-1/31/06
12 VAC 30-120-730 emer	Amended	21:12 VA.R. 1576	2/1/05-1/31/06
12 VAC 30-120-740 emer	Amended	21:12 VA.R. 1578	2/1/05-1/31/06
12 VAC 30-120-750 emer	Amended	21:12 VA.R. 1579	2/1/05-1/31/06
12 VAC 30-120-752 emer	Amended	21:12 VA.R. 1580	2/1/05-1/31/06
12 VAC 30-120-753 emer	Amended	21:12 VA.R. 1582	2/1/05-1/31/06
12 VAC 30-120-754 emer	Amended	21:12 VA.R. 1583	2/1/05-1/31/06
12 VAC 30-120-756 emer	Amended	21:12 VA.R. 1584	2/1/05-1/31/06
12 VAC 30-120-758 emer	Amended	21:12 VA.R. 1585	2/1/05-1/31/06
12 VAC 30-120-760 emer	Amended	21:12 VA.R. 1586	2/1/05-1/31/06
12 VAC 30-120-762 emer	Amended	21:12 VA.R. 1586	2/1/05-1/31/06
12 VAC 30-120-764 emer	Amended	21:12 VA.R. 1587	2/1/05-1/31/06
12 VAC 30-120-766 emer	Amended	21:12 VA.R. 1588	2/1/05-1/31/06
12 VAC 30-120-768 emer	Amended	21:12 VA.R. 1590	2/1/05-1/31/06
12 VAC 30-120-770 emer	Amended	21:12 VA.R. 1592	2/1/05-1/31/06
12 VAC 30-120-772 emer	Amended	21:12 VA.R. 1596	2/1/05-1/31/06
12 VAC 30-120-774 emer	Amended	21:12 VA.R. 1597	2/1/05-1/31/06
12 VAC 30-120-776 emer	Amended	21:12 VA.R. 1598	2/1/05-1/31/06
12 VAC 30-120-780 emer	Repealed	21:12 VA.R. 1600	2/1/05-1/31/06
12 VAC 30-120-790 emer	Repealed	21:12 VA.R. 1601	2/1/05-1/31/06
12 VAC 30-120-900 through 12 VAC 30-120-990 emer	Added	21:12 VA.R. 1601-1619	2/1/05-1/31/06
12 VAC 30-120-1500 through 12 VAC 120-1590 emer	Added	21:23 VA.R. 3300-3308	7/1/05-6/30/06
12 VAC 30-141-200 emer	Amended	21:20 VA.R. 2721	7/1/05-6/30/06
12 VAC 30-141-500	Amended	21:19 VA.R. 2549	6/29/05
12 VAC 30-141-500 emer	Amended	21:23 VA.R. 3291	7/1/05-6/30/06
Title 13. Housing			
13 VAC 5-63-110	Erratum	21:14 VA.R. 2021	--
Title 14. Insurance			
14 VAC 5-210-10 through 14 VAC 5-210-150	Repealed	21:23 VA.R. 3276	7/1/05
14 VAC 5-211-10 through 14 VAC 5-211-280	Added	21:23 VA.R. 3279-3287	7/1/05
Title 15. Judicial			
15 VAC 5-50-10 through 15 VAC 5-50-210	Repealed	21:17 VA.R. 2304	4/13/05
15 VAC 5-60-10 through 15 VAC 5-60-240	Repealed	21:17 VA.R. 2304	4/13/05
Title 16. Labor and Employment			
16 VAC 25-90-1910.142	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.151	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.268	Amended	21:21 VA.R. 2901	8/15/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
16 VAC 25-90-1910.1001	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1003	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1017	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1018	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1025	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1027	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1028	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1029	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1043	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1044	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1045	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1047	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1048	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-90-1910.1051	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-100-1915.1001	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-175-1926.60	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-175-1926.62	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-175-1926.1101	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-175-1926.1127	Amended	21:21 VA.R. 2901	8/15/05
16 VAC 25-175-1926.60	Amended	21:21 VA.R. 2903	8/15/05
Title 18. Professional and Occupational Licensing			
18 VAC 30-20-290	Added	21:21 VA.R. 2904	7/27/05
18 VAC 50-22-100	Amended	21:20 VA.R. 2696	8/1/05
18 VAC 50-22-140	Amended	21:20 VA.R. 2697	8/1/05
18 VAC 50-22-170	Amended	21:20 VA.R. 2697	8/1/05
18 VAC 50-22-250	Amended	21:20 VA.R. 2697	8/1/05
18 VAC 50-30-90	Amended	21:20 VA.R. 2698	8/1/05
18 VAC 50-30-120	Amended	21:20 VA.R. 2698	8/1/05
18 VAC 50-30-130	Amended	21:20 VA.R. 2699	8/1/05
18 VAC 60-20	Erratum	21:22 VA.R. 3119	--
18 VAC 60-20-10	Amended	21:19 VA.R. 2551	6/29/05
18 VAC 60-20-16	Amended	21:19 VA.R. 2551	6/29/05
18 VAC 60-20-17	Added	21:19 VA.R. 2550	6/29/05
18 VAC 60-20-20	Amended	21:19 VA.R. 2551	6/29/05
18 VAC 60-20-20	Amended	21:19 VA.R. 2555	6/29/05
18 VAC 60-20-50 through 18 VAC 60-20-90	Amended	21:19 VA.R. 2551-2552	6/29/05
18 VAC 60-20-91	Added	21:19 VA.R. 2555	6/29/05
18 VAC 60-20-105	Amended	21:19 VA.R. 2552	6/29/05
18 VAC 60-20-106	Added	21:19 VA.R. 2552	6/29/05
18 VAC 60-20-106	Erratum	21:22 VA.R. 3119	--
18 VAC 60-20-107	Added	21:19 VA.R. 2552	6/29/05
18 VAC 60-20-107	Erratum	21:22 VA.R. 3119	--
18 VAC 60-20-110	Amended	21:19 VA.R. 2552	6/29/05
18 VAC 60-20-120	Amended	21:19 VA.R. 2553	6/29/05
18 VAC 60-20-130	Repealed	21:19 VA.R. 2554	6/29/05
18 VAC 60-20-135	Added	21:19 VA.R. 2554	6/29/05
18 VAC 60-20-190	Amended	21:19 VA.R. 2554	6/29/05
18 VAC 60-20-195	Amended	21:19 VA.R. 2554	6/29/05
18 VAC 62-20-10 through 18 VAC 62-20-180	Added	21:20 VA.R. 2700-2706	7/15/05
18 VAC 65-20-15	Added	21:18 VA.R. 2380	6/15/05
18 VAC 75-40-10	Added	21:16 VA.R. 2215	5/18/05
18 VAC 75-40-20	Added	21:16 VA.R. 2215	5/18/05
18 VAC 75-40-30	Added	21:16 VA.R. 2215	5/18/05
18 VAC 76-20-60	Amended	21:19 VA.R. 2556	6/29/05
18 VAC 76-40-10	Amended	21:19 VA.R. 2596	8/15/05
18 VAC 85-15-10	Added	21:21 VA.R. 2905	7/27/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
18 VAC 85-15-20	Added	21:21 VA.R. 2905	7/27/05
18 VAC 85-15-30	Added	21:21 VA.R. 2905	7/27/05
18 VAC 85-20-30	Amended	21:20 VA.R. 2707	7/13/05
18 VAC 85-20-100	Amended	21:20 VA.R. 2707	7/13/05
18 VAC 85-20-280	Amended	21:22 VA.R. 3105	9/26/05
18 VAC 85-20-330	Amended	21:19 VA.R. 2597	8/15/05
18 VAC 85-80-61	Added	21:23 VA.R. 3287	8/24/05
18 VAC 90-15-10	Added	21:21 VA.R. 2905	7/27/05
18 VAC 90-15-20	Added	21:21 VA.R. 2905	7/27/05
18 VAC 90-15-30	Added	21:21 VA.R. 2905	7/27/05
18 VAC 90-20-10	Amended	21:21 VA.R. 2906	7/27/05
18 VAC 90-20-181	Added	21:21 VA.R. 2907	7/27/05
18 VAC 90-20-182	Added	21:21 VA.R. 2907	7/27/05
18 VAC 90-20-183	Added	21:21 VA.R. 2907	7/27/05
18 VAC 90-20-230	Amended	21:20 VA.R. 2708	7/13/05
18 VAC 90-20-280	Amended	21:21 VA.R. 2907	7/27/05
18 VAC 90-20-300	Amended	21:21 VA.R. 2907	7/27/05
18 VAC 90-30-80	Amended	21:21 VA.R. 2910	7/27/05
18 VAC 90-30-100	Amended	21:21 VA.R. 2910	7/27/05
18 VAC 90-30-110	Amended	21:21 VA.R. 2910	7/27/05
18 VAC 90-30-120	Amended	21:21 VA.R. 2909	7/27/05
18 VAC 95-10-10	Amended	21:18 VA.R. 2380	7/1/05
18 VAC 95-10-20	Amended	21:18 VA.R. 2380	7/1/05
18 VAC 95-20-10	Amended	21:18 VA.R. 2381	7/1/05
18 VAC 95-20-471	Added	21:19 VA.R. 2557	6/29/05
18 VAC 100-20-53	Added	21:20 VA.R. 2709	8/1/05
18 VAC 100-20-54	Amended	21:20 VA.R. 2708	8/1/05
18 VAC 100-20-54	Erratum	21:23 VA.R. 3311	--
18 VAC 100-20-81	Amended	21:20 VA.R. 2709	8/1/05
18 VAC 105-20-41	Added	21:18 VA.R. 2382	6/15/05
18 VAC 110-20-15	Added	21:15 VA.R. 2122	5/4/05
18 VAC 112-20-26	Added	21:19 VA.R. 2557	6/29/05
18 VAC 115-15-10 through 18 VAC 115-15-30	Added	21:22 VA.R. 3099	8/10/05
18 VAC 120-40-50	Amended	21:20 VA.R. 2712	8/1/05
18 VAC 125-15-10	Added	21:20 VA.R. 2712	7/13/05
18 VAC 125-15-20	Added	21:20 VA.R. 2712	7/13/05
18 VAC 125-15-30	Added	21:20 VA.R. 2712	7/13/05
18 VAC 140-20-171	Added	21:21 VA.R. 2913	7/27/05
18 VAC 150-20-15	Added	21:21 VA.R. 2913	7/27/05
18 VAC 150-20-195	Amended	21:23 VA.R. 3289	10/8/05
Title 19. Public Safety			
19 VAC 30-70-210	Amended	21:18 VA.R. 2382	4/15/05
Title 20. Public Utilities and Telecommunications			
20 VAC 5-315 (Forms)	Amended	21:19 VA.R. 2603	--
20 VAC 5-315-20	Amended	21:18 VA.R. 2387	4/26/05
20 VAC 5-315-30	Amended	21:18 VA.R. 2388	4/26/05
20 VAC 5-315-40	Amended	21:18 VA.R. 2388	4/26/05
20 VAC 5-315-90	Repealed	21:18 VA.R. 2389	4/26/05
Title 22. Social Services			
22 VAC 15-30-10	Amended	21:12 VA.R. 1528	6/1/05
22 VAC 15-30-30	Amended	21:12 VA.R. 1532	6/1/05
22 VAC 15-30-50	Amended	21:12 VA.R. 1532	6/1/05
22 VAC 15-30-70	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-80	Amended	21:12 VA.R. 1533	6/1/05
22 VAC 15-30-90	Amended	21:12 VA.R. 1533	6/1/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
22 VAC 15-30-110	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-140	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-150	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-160	Amended	21:12 VA.R. 1534	6/1/05
22 VAC 15-30-180	Amended	21:12 VA.R. 1535	6/1/05
22 VAC 15-30-190	Amended	21:12 VA.R. 1535	6/1/05
22 VAC 15-30-200	Amended	21:12 VA.R. 1536	6/1/05
22 VAC 15-30-200	Erratum	21:13 VA.R. 1941	--
22 VAC 15-30-230	Amended	21:12 VA.R. 1536	6/1/05
22 VAC 15-30-250	Amended	21:12 VA.R. 1537	6/1/05
22 VAC 15-30-260	Amended	21:12 VA.R. 1537	6/1/05
22 VAC 15-30-290	Amended	21:12 VA.R. 1538	6/1/05
22 VAC 15-30-310 through 22 VAC 15-30-390	Amended	21:12 VA.R. 1538-1542	6/1/05
22 VAC 15-30-410	Amended	21:12 VA.R. 1542	6/1/05
22 VAC 15-30-430	Amended	21:12 VA.R. 1543	6/1/05
22 VAC 15-30-440	Amended	21:12 VA.R. 1543	6/1/05
22 VAC 15-30-451	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-461	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-471	Amended	21:12 VA.R. 1545	6/1/05
22 VAC 15-30-490	Amended	21:12 VA.R. 1546	6/1/05
22 VAC 15-30-500	Amended	21:12 VA.R. 1547	6/1/05
22 VAC 15-30-510	Amended	21:12 VA.R. 1547	6/1/05
22 VAC 15-30-520	Amended	21:12 VA.R. 1548	6/1/05
22 VAC 15-30-540 through 22 VAC 15-30-670	Amended	21:12 VA.R. 1548-1556	6/1/05
22 VAC 15-30-575	Erratum	21:13 VA.R. 1941	--
22 VAC 15-30-585	Added	21:12 VA.R. 1550	6/1/05
22 VAC 15-51-50	Amended	21:20 VA.R. 2713	7/13/05
22 VAC 30-40-10	Amended	21:16 VA.R. 2215	5/18/05
22 VAC 30-40-70	Amended	21:16 VA.R. 2217	5/18/05
22 VAC 30-40-130	Amended	21:16 VA.R. 2218	5/18/05
22 VAC 30-40-140	Amended	21:16 VA.R. 2218	5/18/05
22 VAC 30-40-150	Amended	21:16 VA.R. 2218	5/18/05
22 VAC 40-90-10 through 22 VAC 40-90-60	Amended	21:18 VA.R. 2393	7/1/05
22 VAC 40-90-70	Added	21:18 VA.R. 2395	7/1/05
22 VAC 40-170-10	Amended	21:19 VA.R. 2558	8/1/05
22 VAC 40-170-20	Repealed	21:19 VA.R. 2559	8/1/05
22 VAC 40-170-30 through 22 VAC 40-170-210	Amended	21:19 VA.R. 2560-2567	8/1/05
22 VAC 40-170-230	Amended	21:19 VA.R. 2567	8/1/05
22 VAC 40-191-40	Amended	21:18 VA.R. 2395	7/1/05
22 VAC 40-191-50	Amended	21:18 VA.R. 2399	7/1/05
22 VAC 40-191-90	Amended	21:18 VA.R. 2400	7/1/05
22 VAC 40-660-10 through 22 VAC 40-660-100	Repealed	21:19 VA.R. 2568	8/1/05
22 VAC 40-661-10 through 22 VAC 40-661-90	Added	21:19 VA.R. 2568-2572	8/1/05
Title 24. Transportation and Motor Vehicles			
24 VAC 30-41-30	Amended	21:13 VA.R. 1911	4/6/05
24 VAC 30-41-50	Amended	21:13 VA.R. 1913	4/6/05
24 VAC 30-41-110	Amended	21:13 VA.R. 1913	4/6/05
24 VAC 30-41-190	Amended	21:13 VA.R. 1914	4/6/05
24 VAC 30-41-210	Amended	21:13 VA.R. 1915	4/6/05
24 VAC 30-41-220	Amended	21:13 VA.R. 1916	4/6/05
24 VAC 30-41-230	Amended	21:13 VA.R. 1916	4/6/05
24 VAC 30-41-250	Amended	21:13 VA.R. 1917	4/6/05
24 VAC 30-41-280	Amended	21:13 VA.R. 1917	4/6/05
24 VAC 30-41-290	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-300	Amended	21:13 VA.R. 1918	4/6/05
24 VAC 30-41-310	Amended	21:13 VA.R. 1918	4/6/05

Cumulative Table of VAC Sections Adopted, Amended, or Repealed

SECTION NUMBER	ACTION	CITE	EFFECTIVE DATE
24 VAC 30-41-320	Amended	21:13 VA.R. 1919	4/6/05
24 VAC 30-41-350	Amended	21:13 VA.R. 1920	4/6/05
24 VAC 30-41-430	Amended	21:13 VA.R. 1920	4/6/05
24 VAC 30-41-500	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-510	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-520	Amended	21:13 VA.R. 1921	4/6/05
24 VAC 30-41-530	Amended	21:13 VA.R. 1922	4/6/05
24 VAC 30-41-580	Amended	21:13 VA.R. 1922	4/6/05
24 VAC 30-41-650	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-41-660	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-41-680	Amended	21:13 VA.R. 1923	4/6/05
24 VAC 30-91-10	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-110	Erratum	21:12 VA.R. 1776	--
24 VAC 30-91-130	Erratum	21:12 VA.R. 1776	--
24 VAC 30-620-10	Amended	21:15 VA.R. 2123	5/22/05
24 VAC 30-620-30	Amended	21:15 VA.R. 2123	5/22/05
24 VAC 30-620-30	Amended	21:22 VA.R. 3099	8/20/05

PETITIONS FOR RULEMAKING

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF COUNSELING

Agency Decision

Title of Regulation: 18 VAC 115-20. Regulations Governing the Practice of Professional Counseling.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Name of Petitioner: Mary Clark and Claire Bellingham.

Nature of Petitioners' Request: To revise the continuing education regulations to reduce the number of hours required for licensed professional counselors who are "retired-active" practitioners.

Agency Decision: Request denied.

Statement of Reasons for Decision: The board believes that continuing education is necessary for a licensed professional who continues to provide client care, even if the number of clients and number of hours are reduced. If a practitioner intends to continue in active practice, evidence of continuing competency should be the same.

Agency Contact: Evelyn B. Brown, Executive Director, Board of Counseling, 6603 West Broad Street, Richmond, VA 23230-1717, telephone (804) 662-9912, FAX (804) 662-7250, or e-mail evelyn.brown@dhp.virginia.gov.

VA.R. Doc. No. R05-152; Filed July 19, 2005, 3:24 p.m.

BOARD OF DENTISTRY

Agency Decision

Title of Regulation: 18 VAC 60-20. Regulations Governing the Practice of Dentistry and Dental Hygiene.

Statutory Authority: §§ 54.1-2400 and 54.1-2709 of the Code of Virginia.

Name of Petitioner: Dr. Najib Adi.

Nature of Petitioner's Request: To amend 18 VAC 60-20-70 A to accept passage of the NERB examination taken by an applicant prior to January 1, 2005, or the examination of the National Dental Examining Board of Canada.

Agency Decision: Request denied.

Statement of Reasons for Decision: The board has voted that it will not retroactively accept an examination that was not approved for licensure in Virginia prior to January 1, 2005. Prior to January 1, 2005, the board contracted with the Southern Regional Testing Agency to administer the only clinical examination the board accepted for licensure. A retroactive acceptance of other examinations would be unfair to persons who were unable to apply for licensure based on their passage of such examinations in previous years.

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114, or e-mail elaine.yeatts@dhp.virginia.gov

VA.R. Doc. No. R05-177; Filed July 19, 2005, 3:23 p.m.

Initial Agency Notice

Title of Regulation: 18 VAC 60-20. Regulations Governing the Practice of Dentistry and Dental Hygiene.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Name of Petitioner: Joseph A. Leming, M.D.

Nature of Petitioner's Request: To require use of a registered nurse as the circulating nurse for office-based surgical procedures in dental offices.

Agency's Plan for Disposition of Request: The board will request public comment on the petition and consider the request for an amendment at its meeting on September 16, 2005.

Public comments may be submitted until August 29, 2005.

Agency Contact: Elaine J. Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9918, FAX (804) 662-9114, or e-mail elaine.yeatts@dhp.virginia.gov

VA.R. Doc. No. R05-225; Filed July 19, 2005, 3:23 p.m.

BOARD OF MEDICINE

Initial Agency Notice - Extension of Comment Period

Title of Regulation: 18 VAC 85-20. Regulations Governing the Practice of Medicine, Osteopathic Medicine, Podiatry and Chiropractic.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Name of Petitioner: Robert B. Stroube, M.D., M.P.H.

Nature of Petitioner's Request: Amend regulations for administration of anesthesia in office-based settings to require a registered nurse, qualified by education and experience in perioperative nursing, to be present as the circulating nurse during the procedure.

Agency's Plan for Disposition of Request: At its meeting on July 14, 2005, the board decided to extend the comment period on the petition until August 22, 2005. The board will act on the petition request at its meeting on September 16, 2005.

Public comments may be submitted until August 22, 2005.

Petitions for Rulemaking

Agency Contact: William L. Harp, M.D., Executive Director,
Board of Medicine, 6603 West Broad Street, 5th Floor,
Richmond, VA 23230, telephone (804) 662-7423, FAX (804)
662-9943, or e-mail william.harp@dhp.virginia.gov.

VA.R. Doc. No. R05-202; Filed July 19, 2005, 3:24 p.m.

NOTICES OF INTENDED REGULATORY ACTION

Symbol Key

† Indicates entries since last publication of the *Virginia Register*

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Air Pollution Control Board intends to consider amending regulations entitled **9 VAC 5-140, Regulations for Emissions Trading (Rev. E05)**. The purpose of the proposed action is to establish requirements to reduce SO_x and NO_x emissions in order to eliminate their significant contribution to nonattainment or interference with maintenance of the national ambient air quality standards in downwind states and to protect Virginia's air quality and its natural resources.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Public participation: The department is soliciting comments on the (i) intended regulatory action, to include ideas to assist the department in the development of the proposal, (ii) impacts of the proposed regulation on farm and forest land preservation, and (iii) costs and benefits of the alternatives stated in this notice or other alternatives. All comments must be received by the department by 5 p.m. on August 10, 2005, in order to be considered. It is preferred that all comments be provided in writing to the department, along with any supporting documents or exhibits; however, oral comments will be accepted at the meeting. Comments may be submitted by mail, facsimile transmission, e-mail, or by personal appearance at the meeting, but must be submitted to Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, Virginia, 23240 (e-mail: memajor@deq.virginia.gov) (fax number: 804-698-4510). Comments by facsimile transmission will be accepted only if followed by receipt of the signed original within one week. Comments by e-mail will be accepted only if the name, address and phone number of the commenter are included. All testimony, exhibits and documents received are a matter of public record. Only comments (i) related to the information specified in this notice and (ii) provided in accordance with the procedures specified in this notice will be given consideration in the development of the proposed regulation amendments.

A public meeting will be held by the department to receive comments on and to discuss the intended action. Information on the date, time, and place of the meeting is published in the Calendar of Events section of the Virginia Register. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

Participatory approach: Subject to the stipulations noted below, the department will form an ad hoc advisory group to assist in the development of the regulation. To be on the group, notify the agency contact in writing by 5 p.m. on July 22, 2005, and provide name, address, phone number and the organization represented (if any). Notification of the composition of the ad hoc advisory group will be sent to all applicants. To be on the group, attendance at the public meeting is encouraged. The primary function of the group is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus. At its discretion, the department may dispense with the use of an ad hoc advisory group if it receives less than five applications. Multiapplications from a single company, organization, group or other entity count as one for purposes of making the decision specified in the preceding sentence.

Statutory Authority: §§ 10.1-1308 and 10.1-1322.3 of the Code of Virginia; Clean Air Act (§§ 108, 109, 110 and 302); 40 CFR Part 51.

Public comments may be submitted until August 10, 2005.

Contact: Mary E. Major, Environmental Program Manager, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510 or e-mail mlmajor@deq.virginia.gov.

VA.R. Doc. No. R05-230; Filed June 21, 2005, 4:08 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Air Pollution Control Board intends to consider amending regulations entitled **9 VAC 5-140, Regulations for Emissions Trading (Rev. F05)**. The purpose of the proposed action is to establish requirements to control mercury emissions in order to reduce the regional deposition of mercury.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Public participation: The department is soliciting comments on the (i) intended regulatory action, to include ideas to assist the department in the development of the proposal, (ii) impacts of the proposed regulation on farm and forest land preservation, and (iii) costs and benefits of the alternatives stated in this notice or other alternatives. All comments must be received by the department by 5 p.m. on August 10, 2005, in order to be considered. It is preferred that all comments be provided in writing to the department, along with any supporting documents or exhibits; however, oral comments will be accepted at the meeting. Comments may be submitted by mail, facsimile transmission, e-mail, or by personal appearance at the meeting, but must be submitted to Mary E. Major, Environmental Program Manager, Office of Air Regulatory Development, Department of Environmental

Notices of Intended Regulatory Action

Quality, P.O. Box 10009, Richmond, Virginia, 23240 (e-mail: memajor@deq.virginia.gov) (fax number: 804-698-4510). Comments by facsimile transmission will be accepted only if followed by receipt of the signed original within one week. Comments by e-mail will be accepted only if the name, address and phone number of the commenter are included. All testimony, exhibits and documents received are a matter of public record. Only comments (i) related to the information specified in this notice and (ii) provided in accordance with the procedures specified in this notice will be given consideration in the development of the proposed regulation amendments.

A public meeting will be held by the department to receive comments on and to discuss the intended action. Information on the date, time, and place of the meeting is published in the Calendar of Events section of the Virginia Register. Unlike a public hearing, which is intended only to receive testimony, this meeting is being held to discuss and exchange ideas and information relative to regulation development.

Participatory approach: Subject to the stipulations noted below, the department will form an ad hoc advisory group to assist in the development of the regulation. To be on the group, notify the agency contact in writing by 5 p.m. on July 22, 2005, and provide name, address, phone number and the organization represented (if any). Notification of the composition of the ad hoc advisory group will be sent to all applicants. To be on the group, attendance at the public meeting is encouraged. The primary function of the group is to develop recommended regulation amendments for department consideration through the collaborative approach of regulatory negotiation and consensus. At its discretion, the department may dispense with the use of an ad hoc advisory group if it receives less than five applications. Multiapplications from a single company, organization, group or other entity count as one for purposes of making the decision specified in the preceding sentence.

Statutory Authority: §§ 10.1-1308 and 10.1-1322.3 of the Code of Virginia; Clean Air Act (§§ 108, 109, 110 and 302); 40 CFR Part 51.

Public comments may be submitted until August 10, 2005.

Contact: Mary E. Major, Environmental Program Manager, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510 or e-mail mlmajor@deq.virginia.gov.

VA.R. Doc. No. R05-231; Filed June 21, 2005, 4:09 p.m.

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled

12 VAC 30-50, Amount, Duration and Scope of Medical and Remedial Care Services and 12 VAC 30-141, Family Access to Medical Insurance Security Plan. The purpose of the proposed action is to reshape the prior authorization regimen for dental services.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until August 24, 2005.

Contact: Tammy Driscoll, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-1567, FAX (804) 786-1680 or e-mail tammy.driscoll@dmass.virginia.gov.

VA.R. Doc. No. R05-248; Filed June 30, 2005, 4:37 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates: Inpatient Hospital Care.** The purpose of the proposed action is to implement new supplemental payments for certain hospitals.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until August 24, 2005.

Contact: Steve Ford, Provider Reimbursement, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-7355, FAX (804) 786-1680 or e-mail steve.ford@dmass.virginia.gov.

VA.R. Doc. No. R05-250; Filed July 1, 2005, 4:41 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-70, Methods and Standards for Establishing Payment Rates; Inpatient Hospital Care; 12 VAC 30-80, Methods and Standards for Establishing Payment Rates; Other Types of Care; and 12 VAC 30-90, Methods and Standards for Establishing Payment Rates for Long-Term Care.** The purpose of the proposed action is to comply with recent CMS restrictions on the financing of supplemental payments for services provided by nonstate public hospitals and nursing homes and state hospitals.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Notices of Intended Regulatory Action

Public comments may be submitted until August 24, 2005.

Contact: William Lessard, Project Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-4593, FAX (804) 786-1680 or e-mail william.lessard@dmas.virginia.gov.

VA.R. Doc. No. R05-249; Filed June 30, 2005, 4:41 p.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to consider amending regulations entitled **12 VAC 30-120, Waivered Services**. The purpose of the proposed action is to establish a new program, the Day Support Waiver for Individuals with Mental Retardation.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Public comments may be submitted until August 24, 2005.

Contact: Suzanne Klaas, Project Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-225-4239, FAX (804) 786-1680 or e-mail suzanne.klaas@dmas.virginia.gov.

VA.R. Doc. No. R05-247; Filed June 30, 2005, 4:38 p.m.



TITLE 16. LABOR AND EMPLOYMENT

DEPARTMENT OF LABOR AND INDUSTRY

Safety and Health Codes Board

† Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Safety and Health Codes Board intends to consider amending regulations entitled **16 VAC 25-60, Administrative Regulation for the Virginia Occupational Safety and Health Program**. The purpose of the proposed action is to comply with changes to statutory law or to address procedural or other administrative changes that have occurred since the Administrative Regulations Manual was last revised.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 40.1-22 of the Code of Virginia.

Public comments may be submitted until September 8, 2005.

Contact: John Crisanti, Policy Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-4300, FAX (804) 786-8418 or e-mail john.crisanti@doli.virginia.gov.

VA.R. Doc. No. R05-256; Filed July 20, 2005, 9:42 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Safety and Health Codes Board intends to consider promulgating regulations entitled **16 VAC 25-75, Telecommunications, General, Approach Distances** and **16 VAC 25-90, Federal Identical General Industry Standards**. The purpose of the proposed action is to promulgate a new Virginia (VOSH) regulation and amend the General Industry Standard for Telecommunications regulation 16 VAC 25-90-1910.268 (b) (7) (i). The new telecommunications regulation is intended to provide the same degree of protection to telecommunications employees working in similar proximity to power lines as their counterparts under the electrical power generation, transmission and distribution standard, General Industry 16 VAC 25-1910.269 (l) (2) (i).

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 40.1-22 of the Code of Virginia; Occupational Safety and Health Act of 1970 (Pub.L. 91-596).

Public comments may be submitted until August 11, 2005.

Contact: John Crisanti, Policy Analyst Senior, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-4300, FAX (804) 786-8418 or e-mail john.crisanti@doli.virginia.gov.

VA.R. Doc. No. R05-234; Filed June 22, 2005, 9:47 a.m.



TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF DENTISTRY

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Dentistry intends to consider amending regulations entitled **18 VAC 60-20, Regulations Governing the Practice of Dentistry and Dental Hygiene**. The purpose of the proposed action is to consider an expansion of duties performed by qualified dental assistants to include such tasks as supragingival scaling and carving and packing amalgam.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 54.1-2400 et seq. of the Code of Virginia.

Public comments may be submitted until August 24, 2005.

Contact: Sandra Reen, Executive Director, Board of Dentistry, 6606 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943 or e-mail sandra.reen@dhp.virginia.gov.

VA.R. Doc. No. R05-242; Filed June 30, 2005, 10:06 a.m.

Notices of Intended Regulatory Action

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Funeral Directors and Embalmers intends to consider amending regulations entitled **18 VAC 65-40, Resident Trainee Program for Funeral Services**. The purpose of the proposed action is to allow a resident trainee to complete requirements for 3,000 hours in combination with school or work. The amendments will make other changes to add flexibility and accountability.

The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until August 24, 2005.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, 6606 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9943 or e-mail elizabeth.young@dhp.virginia.gov.

VA.R. Doc. No. R05-254; Filed July 1, 2005, 3:48 p.m.

BOARD OF MEDICINE

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled **18 VAC 85-20, Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, and Chiropractic**. The purpose of the proposed action is to specify that at least one of the required two years of postgraduate training or study in the United States or Canada must be as an intern or resident in a hospital or health care facility.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until August 10, 2005.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943 or e-mail william.harp@dhp.virginia.gov.

VA.R. Doc. No. R05-235; Filed June 22, 2005, 10:01 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to consider amending regulations entitled **18 VAC 85-20, Regulations Governing the Practice of Medicine, Osteopathy, Podiatry, and Chiropractic**. The purpose of the proposed action is to clarify ambiguous provisions and specify

more clearly the timing of a malpractice report, the definition of a paid claim and the conditions under which a report is required.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until August 10, 2005.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943 or e-mail william.harp@dhp.virginia.gov.

VA.R. Doc. No. R05-236; Filed June 22, 2005, 10:01 a.m.

BOARD OF NURSING

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Nursing intends to consider promulgating regulations entitled **18 VAC 90-60, Regulations Governing the Registration of Medication Aides**. The purpose of the proposed action is to establish the requirements for training programs and for registration, practice and renewal for medication aides.

The agency intends to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until August 24, 2005.

Contact: Jay P. Douglas, Executive Director, Board of Nursing, 6606 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9943 or e-mail jay.douglas@dhp.virginia.gov.

VA.R. Doc. No. R05-241; Filed June 30, 2005, 10:06 a.m.

BOARD OF PHARMACY

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Pharmacy intends to consider promulgating regulations entitled **18 VAC 110-50, Regulations Governing Wholesale Distributors, Manufacturers and Warehouse**s. The purpose of the proposed action is to add a requirement for a pedigree system in wholesale distribution of prescription drugs.

The agency does not intend to hold a public hearing on the proposed action after publication in the Virginia Register.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until August 24, 2005.

Contact: Elizabeth Scott Russell, R.Ph., Executive Director, Board of Pharmacy, 6606 W. Broad St., 5th Floor, Richmond,

Notices of Intended Regulatory Action

VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313 or e-mail scotti.russell@dhp.virginia.gov.

VA.R. Doc. No. R05-253; Filed July 1, 2005, 3:48 p.m.

TITLE 22. SOCIAL SERVICES

STATE BOARD OF SOCIAL SERVICES

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider amending regulations entitled **22 VAC 40-41, Neighborhood Assistance Tax Credit Program**. The purpose of the proposed action is to amend the regulation for the Neighborhood Assistance Program (NAP). NAP is a state tax credit program established by the General Assembly in 1981. The program uses tax credits as an incentive for businesses and, with certain restrictions, individuals, to make donations to eligible projects. To be an eligible project an organization must be a 501(c)(3) or (4) whose primary function is providing assistance to low-income individuals and families. The amendments will make several technical and clarifying changes, including updating code citations and correcting inconsistencies in terminology. In addition, amendments are being proposed to ensure the availability of tax credits and their equitable distribution among approved projects. Also, amendments are being proposed to ensure fairness in the valuation of certain donated items and to improve the process for determining eligibility of organizations applying to participate in NAP.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: §§ 63.2-217 and 63.2-2002 of the Code of Virginia.

Public comments may be submitted until August 10, 2005.

Contact: J. Mark Grigsby, Director, Office of Community Services, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7922, FAX (804) 726-7946 or email james.grigsby@dss.virginia.gov.

VA.R. Doc. No. R05-232; Filed June 22, 2005, 8:59 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider adopting regulations entitled **22 VAC 40-211, Resource, Foster and Adoptive Family Home Approval Standards**. The purpose of the proposed action is to adopt a new regulation specific to the approval requirements for resource, foster and adoptive family homes providers approved by local departments of social services. The new regulation will include many of the provisions from 22 VAC 40-770, Standards and Regulations for Agency Approved Providers, which is being repealed. The new

regulation will ensure compliance with changes to federal and state laws and regulations regarding resource, foster and adoptive family homes.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 63.2-217 of the Code of Virginia.

Public comments may be submitted until August 10, 2005.

Contact: Therese Wolf, Foster Care Program Supervisor, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7522, FAX (804) 726-7499 or email therese.wolf@dss.virginia.gov.

VA.R. Doc. No. R05-233; Filed June 22, 2005, 8:59 a.m.

Notice of Intended Regulatory Action

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Social Services intends to consider repealing regulations entitled **22 VAC 40-770, Standards and Regulations for Agency Approved Providers** and adopting regulations entitled **22 VAC 40-771, Adult Services Approved Providers**. The purpose of the proposed action is to repeal the existing regulation 22 VAC 40-770 and replace it with a new regulation. 22 VAC 40-770, Standards and Regulations for Agency Approved Providers, includes generic provisions that apply to all providers approved by local departments of social services, including adult services, child care, foster care and adoptive home providers. Because of the uniqueness of each type of provider, such a format is not longer effective. The new regulation 22 VAC 40-771, Adult Services Approved Providers, will address only providers contracted through the adult services program. Separate regulations will be proposed for child care and permanency (foster care and adoptive home) providers.

The agency does not intend to hold a public hearing on the proposed regulation after publication in the Virginia Register.

Statutory Authority: § 63.2-217 of the Code of Virginia.

Public comments may be submitted until August 10, 2005.

Contact: Sue Murdock, Adult Services Program Consultant, Department of Social Services, 7 N. 8th St., Richmond, VA 23219, telephone (804) 726-7616, FAX (804) 726-7895 or email susan.murdock@dss.virginia.gov.

VA.R. Doc. No. R05-227; Filed June 14, 2005, 2:17 p.m.

PROPOSED REGULATIONS

For information concerning Proposed Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates proposed new text.
Language which has been stricken indicates proposed text for deletion.

TITLE 8. EDUCATION

STATE BOARD OF EDUCATION

Title of Regulation: 8 VAC 20-660. Regulations Governing the Reenrollment of Students Committed to the Department of Juvenile Justice (adding 8 VAC 20-660-10 through 8 VAC 20-660-40).

Statutory Authority: §§ 16.1-293, 22.1-17.1 and 22.1-343 of the Code of Virginia.

Public Hearing Date: September 21, 2005 - 11 a.m.

Public comments may be submitted until October 11, 2005.
(See Calendar of Events section for additional information)

Agency Contact: Dr. Cynthia Cave, Director of Student Services, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 225-2818, FAX (804) 225-2524, or e-mail ccave@mail.vak12ed.edu.

Basis: Section 22.1-17.1. The Board of Education, in cooperation with the Board of Correctional Education, shall promulgate regulations for the reenrollment in the public school of children who have been in custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between educational programs required by this title, and those of the Board of Correctional Education.

Section 22.1-343. The Board of Correctional Education shall have the following powers and duties: to promulgate regulations, in cooperation with the Board of Education, for the reenrollment in the public schools of students who have been in the custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between the educational programs required by this chapter, and those of the Board of Education

Section 16.1-293. The Department shall notify the school division superintendent in the locality where the juvenile was enrolled of his commitment to a facility. The court services unit shall, in consultation with the Department of Correctional Education, the local school division, and the juvenile correctional counselor, develop a reenrollment plan if the juvenile is of compulsory school attendance age or is eligible for special education services pursuant to § 22.1-213. The reenrollment plan shall be in accordance with regulations adopted by the Board of Education pursuant to § 22.1-17.1. The superintendent shall provide the juvenile's scholastic records, as defined in § 22.1-289, and the terms and conditions of any expulsion that was in effect at the time of commitment or that will be in effect upon release. A court may

not order a local school board to reenroll a juvenile who has been expelled in accordance with the procedures set forth in § 22.1-277.06. At least 14 days prior to the juvenile's scheduled release, the department shall notify the school division superintendent in the locality where the juvenile will reside.

Purpose: It is the intent of the Board of Education, through these regulations, to:

- Create a positive impact on the family, the student, court services, school divisions and correctional centers, as they are seeking to continue the student's education upon his release from a juvenile correctional center;
- Provide for consistency in curricula, standards and policies between all educational programs;
- Provide for the timely transfer of information between court services, school divisions and correctional centers;
- Provide students with timely involvement in appropriate educational programs, both while in the correctional center and local school divisions upon release from the correctional center;
- Encourage dissemination of information about, and increase public knowledge about, these regulations and the reenrollment procedures overall; and
- Enhance communication, cooperation, and coordination of services among the public systems required to provide for the educational needs of juvenile parolees.

It is the goal of the Board of Education, through these regulations, to identify and define the roles and responsibilities of the participants and the required components of the reenrollment plan and its implementation. Improving the reenrollment process should facilitate the attendance and continued educational progress of students.

Substance: The proposed regulations are organized into four sections:

- Part I, which provides definitions of terms, such as "reenrollment plan," "reenrollment team," "scholastic record," and "transition team";
- Part II, which presents the minimum components of the reenrollment plan, including educational status of the student, recommendations for academic programs and student supports, reentry goals, and timelines for: (i) notification of scheduled release or court review to the Department of Correctional Education and the receiving school division; (ii) for reenrollment; and (iii) for school placement;
- Part III, which delineates the reenrollment process, procedures, and responsibilities of participating agencies, the reenrollment and transition teams, and school

divisions. The procedures include the notification and convening of teams, the development of the final reenrollment plan, and the process of reenrollment; and

- Part IV, which provides the procedures for the maintenance and transfer of the scholastic record.

Issues: The proposed regulations pose no disadvantage to the public or to the Commonwealth. The proposed regulations will specify the procedures for a smooth uninterrupted transition back into the public school system for students who have been in juvenile correctional centers and been receiving education from the Department of Correctional Education.

Enrollment of these students can be delayed and the completion of an academic program jeopardized if complete information about grades, courses, academic goals, needed support services, and other aspects of the student's experience with the Department of Correctional Education are not received within a time frame that would allow collaborative reentry planning. Lack of planning can result in the failure of a student to receive the appropriate educational services in the public school. It is crucial that students are involved in an appropriate educational program while in correctional centers and upon release. The incidence of recidivism becomes greater when enrollment is not available soon after release. Improving the reenrollment process should facilitate the attendance and continued educational progress of students.

Department of Planning and Budget's Economic Impact

Analysis: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007 H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007 H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the proposed regulation. Pursuant to § 22.1-17.1 of the Code of Virginia, the Board of Education (board) proposes to create regulations for the reenrollment of children in public schools who have been in the custody of the Department of Juvenile Justice.

Estimated economic impact. Chapter 1000, of the 1996 Acts of Assembly, amended § 22.1-17.1 of the Code of Virginia to state that:

The Board of Education, in cooperation with the Board of Correctional Education, shall promulgate regulations for the reenrollment in the public schools of children who have been in the custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between the educational programs required by this title, and those of the Board of Correctional Education.

There are no current regulations concerning the reenrollment in public schools of children who have been in the custody of the Department of Juvenile Justice (DJJ). The Department of Education (DOE) has provided training for staff at DJJ, Department of Correctional Education (DCE), and local school divisions concerning best practices in the reenrollment process. Also, DJJ effectively adopted procedures described in a document titled "School Reenrollment Plan" on July 1, 1997.¹ Some key procedures in "School Reenrollment Plan" are listed below:

- (DJJ -> DCE): DJJ is to notify DCE of student's scheduled release one month prior to release date.
- (DJJ -> RCD2): DJJ is to notify the receiving school division of student's scheduled release 14 days prior to release date.
- (DCE -> RCD): DCE is to send the student's educational records and transcript to the receiving school division within five days of the student's discharge.

Despite the existence of DJJ's "School Reenrollment Plan" procedures, and the training provided by DOE, there have been problems with delays in reenrollment. It is generally believed that delays may contribute to increased recidivism.³ To the best of our knowledge this has not been directly shown in a careful published study. But it does seem logical that the longer a child who has been delinquent in the past is left not engaged in school or other another productive activity such as work, the more likely he will return to criminal behavior. Some indirect evidence is provided in a study by Bullis, Yovanoff, Mueller and Havel (2002) of the facility-to-community transition of incarcerated youth from Oregon's juvenile justice system. The authors found that "if youth left the facility and became involved in work or school activities, that engagement was associated with those individuals continuing those positive activities and not returning to the juvenile correctional system." The study is somewhat limited in that it only looks at two points in time: six months after release and 12 months after release. In addition to a potential increase in recidivism, lack of coordination and communication can result in the failure of a student to receive appropriate educational services once placed in the public school.

In 2000 faculty from the College of William and Mary (deFur, Messier, and Potter; 2000) conducted a study for the Department of Criminal Justice Services that found that: (i) interagency cooperation and communication did not occur in a consistent or reliable basis among the agencies or entities involved in the reenrollment process, (ii) compliance monitoring to ensure implementation of the process did not exist, and (iii) roles and responsibilities remained unclear among and within agencies. It was believed that these problems contributed to delays in the reenrollment into public schools of juvenile offenders.

Pursuant to § 22.1-17.1 of the Code of Virginia and in order to address the above mentioned problems, the board proposes

¹ Source: deFur, Messier, and Potter (2000)

² RSD: receiving school division

³ The Board of Education, Department of Education staff, and Geddes and Keenan (2004) all state that recidivism becomes greater when enrollment is not available soon after release.

Proposed Regulations

to create these regulations that include specific responsibilities and timelines for specified actors in the reenrollment process to follow. The regulations are expected to make a significant difference because they specify deadlines and a specific process structure to follow. Requirements in the proposed regulations include the following⁴:

- (DJJ -> DCE): DJJ must provide written notice to DCE at least 30 calendar days prior to the scheduled release of a student or a scheduled case review in court.
- (DCE -> RSD): Within five days of notification, DCE provides a letter of pending release and an informative outline of the reenrollment process to the reenrollment coordinator for the school receiving school division and the student's parent(s) or guardian(s).
- The school division is to confirm receipt of the notification from DCE within five business days.
- (DCE): Upon notification, the transition team must begin to prepare and assemble the documents and scholastic record that support the development of the reenrollment plan. The transition team consists of the Department of Correctional Education (DCE) principal or assistant principal, the DCE counselor, the DCE transition specialist, the Juvenile Correctional Center counselor, and the student's parole officer.
- (DCE -> RSD): At least 25 calendar days prior to the court review or pending release of a student, and after review with the student, DCE must forward the student scholastic record and a preliminary reenrollment plan to the school division reenrollment coordinator.
- (RSD): Within 10 business days of receipt of the materials, the reenrollment coordinator must convene the reenrollment team to review the preliminary reenrollment plan and develop the final plan.

The reenrollment coordinator is the school division or state operated program staff person designated to work with the parole officer, the Department of Correctional Education, the transition team, and the reenrollment team to coordinate the development of the reenrollment plan.

The reenrollment team is the group convened by the division superintendent or designee of the receiving school division to prepare for and implement the reenrollment of the student. The reenrollment team shall include, at a minimum, the guidance counselor, the special education director as appropriate, the principal or assistant principal if designated, the reenrollment coordinator, and the parole officer. The student's parent(s) or legal guardians(s) and the school social worker or psychologist shall be invited to participate in meetings of the reenrollment team.

- (RSD): Notice of the scheduled meeting to develop the reenrollment plan will be given to all potential participants

by the receiving school division a minimum of one week prior to the meeting.

- (RSD): The reenrollment team shall develop a final reenrollment plan that clearly states:

The educational placement of the student and timeframe for placement,

The names of persons with responsibility and authority for prompt enrollment and their contact information,

The student's scheduled academic program and other supportive activities or services as appropriate, and

The names of the members of transition and reenrollment teams

- (RSD): Copies of the final plan shall be provided to the student, parent(s) or legal guardian(s), and to all transition and reenrollment plan members no later than 10 calendar days prior to release.

- (RSD): The reenrollment plan shall make it possible for the student to enroll and receive instruction in the receiving school district within two school days of release.

The proposed regulations will likely have some positive impact on reducing delays in reenrollment. Lack of communication between agencies and uncertainty about when notification and documentation should be sent has contributed to delays.⁵ The explicit detail within the proposed regulations about who is responsible for which actions and within which timeframes will likely reduce some confusion and speed the process. Two requirements in the proposed regulations that differ from the 1997 "School Reenrollment Plan" should particularly help reduce delays in reenrollment.

First, under the 1997 "School Reenrollment Plan," DCE does not send the student's educational records and transcript until after he is released. Even if the 1997 "School Reenrollment Plan" is consistently followed, receiving school divisions are hampered in immediately making appropriate decisions concerning educational services for the student since school division staff cannot examine the student's educational records and transcript ahead of time. In contrast, the proposed regulations require that DCE forward the student scholastic record and a preliminary reenrollment plan to the school division reenrollment coordinator at least 25 calendar days prior to the court review or pending release of a student. This will allow the receiving school divisions to be well prepared to appropriately place the student upon release from custody.

Second, while currently DCE may usually be well prepared to send documentation to receiving school districts when students are released upon a long-established schedule, DCE may be surprised by the release of students from case reviews in court. It may take some time for DCE to notify the receiving school division, and perhaps even more time to send the student scholastic record and other pertinent information. When this happens there are delays in student reenrollment. By requiring that DJJ provides written notice to DCE at least

⁴ The bulleted list does not include all of the details within the proposed regulations.

⁵ Source: Department of Education

30 calendar days prior to a scheduled case review in court, and that DCE in turn provides a letter of pending release, the student scholastic record and a preliminary reenrollment plan to the reenrollment coordinator for the receiving school division at least 25 days prior to the court review, the proposed regulations will very likely reduce the frequency and length of delays in school reenrollment. Also, the receiving school division will be better prepared to place student into the most appropriate educational services.

Placing these requirements within regulations for the first time may also increase the likelihood that the relevant parties act in a timely fashion since regulations have the power of law. On the other hand, there are no clear repercussions if agencies do not meet deadlines. So, while there will likely be reductions in the frequency and length of delays in reenrollment, some delays will likely continue.

The proposed regulations do also introduce some additional costs. Since not all scheduled case reviews in court result in release from DJJ custody, DCE staff will be required to provide a letter of pending release, student scholastic record and a preliminary reenrollment plan to the reenrollment coordinator in cases where the child is not actually released. This will involve some additional costs that are not currently incurred. But the costs involved are likely less than the benefits gained from reduced delays in reenrollment and perhaps better placement in the receiving school divisions due to increased time to prepare for the child's arrival when the child is actually released from a scheduled case review in court. To the extent that the proposed regulations effectively reduce delays in reenrollment, and reenrolled students are better placed in appropriate education programs, the long-term employment prospects of the affected children may improve. Thus overall, the proposed regulations do likely provide a net benefit for the Commonwealth.

Businesses and entities affected. The proposed regulations affect children who have been in the custody of Department of Juvenile Justice and their families, the 132 local school divisions and their staff, the Department of Juvenile Justice, and the Department of Correctional Education.

Localities particularly affected. The proposed regulations affect all school divisions in all localities.

Projected impact on employment. To the extent that the proposed regulations effectively reduce delays in reenrollment and reenrolled students are better placed in appropriate education programs, the long-term employment prospects of the affected children may improve.

Effects on the use and value of private property. The proposed regulations directly affect the use of public employees and property. As stated above, the proposed regulations may potentially improve the long-term employment prospects of children who have been in the custody of the Department of Juvenile Justice. Thus, their future net worth may increase.

Agency's Response to the Department of Planning and Budget's Economic Impact Analysis: The agency agrees with the economic impact analysis done by DPB on June 17, 2005. The agency will continue to examine the economic and

administrative impact of the regulations as they progress through the Administrative Process Act process.

Summary:

This regulation provides a structured procedure for reenrollment of students into the public schools when they have been in the custody of the juvenile justice system and receiving instruction through the Department of Correctional Education. The regulation would provide for the exchange of educational information concerning students among the Department of Juvenile Justice, the Department of Correctional Education and the public school divisions. By establishing a process for exchange of student records, with procedures, responsibilities, and timelines delineated, reenrollment and planning for the student's continued education can take place on a timely basis prior to a student's release from the juvenile justice system.

CHAPTER 660.

REGULATIONS GOVERNING THE REENROLLMENT OF STUDENTS COMMITTED TO THE DEPARTMENT OF JUVENILE JUSTICE.

8 VAC 20-660-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the text clearly indicates otherwise:

"Educational programs" means educational programs that are designed to provide educational services to students who are subject to compulsory school attendance and are receiving such services in school divisions, juvenile correctional centers, jails, juvenile detention homes, or state-operated programs.

"Final reenrollment plan" means the written documentation developed by the receiving school division that addresses the student's education program, placement, and support services upon reenrollment.

"Preliminary reenrollment plan" means the written documentation for a person to be released from Department of Juvenile Justice custody who is of compulsory school attendance age or is eligible for special education services pursuant to § 22.1-213 of the Code of Virginia. The plan describes the student's educational history while in the custody of the Department of Juvenile Justice, current status, identification of school placement upon release, recommendations for an education program following reenrollment, and recommendations for student supports, such as counseling services.

"Receiving school division" means the school division or state-operated program where the student will enroll upon release from the custody of the Department of Juvenile Justice.

"Reenrollment coordinator" means the school division or state-operated program staff person designated to work with the parole officer, the Department of Correctional Education, the transition team, and the reenrollment team to coordinate the development of the reenrollment plan.

"Reenrollment team" means the group convened by the division superintendent or designee of the receiving school division to prepare for and implement the reenrollment of the

Proposed Regulations

student. The reenrollment team shall include, at a minimum, the guidance counselor, the special education director as appropriate, the principal or assistant principal if designated, the reenrollment coordinator, and the parole officer. The student's parent(s) or legal guardians(s) and the school social worker or psychologist shall be invited to participate in meetings of the reenrollment team.

"Scholastic record" means records that are directly related to a student and that are maintained by an educational agency or institution or by a party acting for the agency or institution. These include, but are not limited to, documentation pertinent to the educational growth and development of students as they progress through school, the high school transcript, student disciplinary records, achievement and test data, cumulative health records to include immunization records, reports of assessment for eligibility for special education services, and Individualized Education Programs.

The term "scholastic record" does not include records of instructional, supervisory, administrative, and ancillary educational personnel that are kept in the sole possession of the maker of the record and are not accessible or revealed to any other person except a temporary substitute for the maker of the record. Also, in accordance with § 22.1-289 of the Code of Virginia, a notice of adjudication or conviction received by a superintendent relating to an incident that did not occur on school property or during a school-sponsored activity shall not be part of a student's scholastic record.

"Transition team" means the Department of Correctional Education (DCE) principal or assistant principal, the DCE counselor, the DCE transition specialist, the Juvenile Correctional Center counselor, and the student's parole officer. This team assembles the student's scholastic record and other relevant documents, develops the preliminary reenrollment plan, and provides information and the preliminary plan to the receiving school division. Transition team members may also include the school division of origin for the student, if different from the receiving school division, and the reenrollment coordinator. Transition team members may also be part of the reenrollment team.

8 VAC 20-660-20. Reenrollment plan components.

Reenrollment plans shall include but not be limited to:

1. Educational status and recommendations at commitment;
2. Educational status and recommendations of the Department of Correctional Education during the student's stay at the Reception and Diagnostic Center;
3. Educational status and recommendations while in the custody of the Department of Juvenile Justice;
4. Educational and reentry goals for the student;
5. Other student supports needed to promote the student's successful reentry to public school, such as counseling services;
6. Anticipated dates and timelines for scheduled release to the receiving school division or for court review of the case, and for reenrollment; and
7. Establishment of school placement upon release.

8 VAC 20-660-30. Reenrollment process and responsibilities.

A. Notification and convening of teams.

1. The Department of Juvenile Justice, through the Juvenile Correctional Center's counselor, shall provide written notification to the Department of Correctional Education principal or designated educational authority at least 30 calendar days prior to the scheduled release of a student or a scheduled case review in court.

2. Upon notification, the transition team shall prepare and assemble the documents and scholastic record that support the development of the reenrollment plan. Also upon notification, the Department of Correctional Education will provide a letter of pending release and an informative outline of the reenrollment process within five business days to the reenrollment coordinator for the receiving school division and the student's parent(s) or guardian(s). The school division shall confirm receipt of notification with the Department of Correctional Education within five business days.

3. At least 25 calendar days prior to the court review or pending release of a student, and after review with the student, the Department of Correctional Education shall forward the student scholastic record and a preliminary reenrollment plan to the school division reenrollment coordinator.

4. Within 10 business days of receipt of the materials, the reenrollment coordinator shall convene the reenrollment team to review the preliminary reenrollment plan and develop the final plan. The student's parent(s) or legal guardian(s) shall be invited by the reenrollment coordinator to attend a meeting where the final reenrollment plan will be developed. The parent(s) or legal guardian(s) may designate a member of the transition team, or someone else, to represent him at the meeting.

5. Notice of the scheduled meeting to develop the reenrollment plan will be given to all potential participants by the receiving school division a minimum of one week prior to the meeting.

6. Other individuals who have knowledge or expertise regarding the student may participate, at the discretion of the members of the reenrollment team or parent(s) or legal guardian(s), or if the student is of majority age and eligible for special education services, at the discretion of the student.

B. Development of final reenrollment plan.

1. The reenrollment team shall develop a final reenrollment plan that clearly states:

- a. The educational placement of the student and timeframe for placement,
- b. The names of persons with responsibility and authority for prompt enrollment and their contact information,
- c. The student's scheduled academic program and other supportive activities or services as appropriate,

TITLE 20. PUBLIC UTILITIES AND TELECOMMUNICATIONS

STATE CORPORATION COMMISSION

REVISED PROPOSED

d. The names of the members of transition and reenrollment teams, and

e. Any other required components.

2. Copies of the final plan shall be provided to the student, parent(s) or legal guardian(s), and to all transition and reenrollment plan members no later than 10 calendar days prior to release.

C. Reenrollment.

1. The reenrollment plan shall make it possible for the student to enroll and receive instruction in the receiving school district within two school days of release.

2. After the Department of Juvenile Justice gives notice of a student's scheduled release, the student may not be suspended or expelled from school programs for the offenses for which he was committed.

3. Placement of students in alternative education programs shall be in accordance with § 22.1-277.2 of the Code of Virginia.

8 VAC 20-660-40. Maintenance and transfer of the scholastic record.

A. Within two business days of the court's order of commitment to the Department of Juvenile Justice, the student's probation/parole officer will request the scholastic record from the school division where the student was last enrolled.

B. The reenrollment coordinator for that school division will provide the record and any other requested information to the Reception and Diagnostic Center to the attention of the Department of Correctional Education within five business days of receipt of the probation officer's request.

C. The school division where the student was last enrolled (sending school division) will maintain the student's scholastic record during the period that the student is in the custody of the Department of Juvenile Justice. The Department of Correctional Education will provide copies of year-end transcripts to the reenrollment coordinator of the sending school division at the same time the transcripts are sent to parents or legal guardians.

D. The transfer and management of scholastic records between educational programs shall be in accordance with the Code of Virginia and the Family Educational Rights and Privacy Act.

E. School divisions shall provide current contact information for reenrollment coordinators to the Departments of Education and Correctional Education that shall be made available to the public.

VA.R. Doc. No. R05-93; Filed July 18, 2005, 4:01 p.m.



REGISTRAR'S NOTICE: The State Corporation Commission is exempt from the Administrative Process Act in accordance with § 2.2-4002 A 2 of the Code of Virginia, which exempts courts, any agency of the Supreme Court, and any agency that by the Constitution is expressly granted any of the powers of a court of record.

Titles of Regulations: 20 VAC 5-400. Telecommunications (repealing 20 VAC 5-400-80).

20 VAC 5-427. Rules for Local Exchange Telecommunications Company Service Quality Standards (adding 20 VAC 5-427-10 through [~~20 VAC 5-427-190~~ 20 VAC 5-427-170]).

Statutory Authority: § 12.1-13 of the Code of Virginia.

Public Hearing Date: Public hearing will be held upon request.

Public comments may be submitted until September 8, 2005.

Agency Contact: Steven C. Bradley, Deputy Director, Division of Communications, State Corporation Commission, P.O. Box 1197, Richmond, VA 23218-1197, telephone (804) 371-9420, FAX (804) 371-9069, or e-mail steve.bradley@scc.virginia.gov.

Summary:

Stipulated Rules for Local Exchange Telecommunications Company Service Quality Standards (Settlement Rules), 20 VAC 5-427, are now proposed by stipulation to replace the previously considered Revised Proposed Rules for Local Exchange Telecommunications Company Service Quality Standards. The Settlement Rules are considered for replacement of the existing Regulation Governing Service Standards for Local Exchange Telephone Companies; Penalty, 20 VAC 5-400-80 of the Telecommunications Regulation.

The regulations apply to all certificated local exchange carriers and prescribe a minimum acceptable level of quality of service under normal operating conditions. The regulations call for the design, construction, maintenance, and operation of network facilities in compliance with all applicable commission orders and interconnection requirements under federal and state law.

Significant changes in the Settlement Rules from the previous Revised Proposed Rules include deletion of the reporting requirements (20 VAC 5-427-40) and deletion of the Commission Complaint Standard (20 VAC 5-427-170). Service quality performance standards have been revised (20 VAC 5-427-130).

Proposed Regulations

AT RICHMOND, JULY 19, 2005

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

CASE NO. PUC-2003-00110

Ex Parte: Establishment of
Rules for Service Quality
Standards for the Provision
of Local Exchange Telecommunications
Services

THIRD ORDER PRESCRIBING NOTICE AND GRANTING LEAVE TO COMMENT OR REQUEST HEARING

On October 13, 2004, the State Corporation Commission ("Commission") took under consideration the Staff's proposed revised Rules for Local Exchange Company Service Quality Standards (to be codified at 20 VAC 5-427-10 et seq.) ("Revised Rules") for replacement of the Regulations Governing Service Standards for Local Exchange Telephone Companies codified at 20 VAC 5-400-80 ("current rules") and the Staff's proposed revised Telecommunications Bill of Rights ("Bill of Rights").¹ Pursuant to the Second Order for Notice and Comment, interested parties were permitted to comment on, propose modifications or supplements to, or request a hearing on the Staff's proposed Revised Rules and revised Bill of Rights. The Commission also took under advisement the comments previously filed.² Comments on the Revised Rules were subsequently filed by: Dr. Jack B. Yeager and Mr. Jay W. Gould, III; Virginia Cable Telecommunications Association; Cox Telecom, Inc.; Verizon Virginia and Verizon South Inc.; Office of Attorney General, Division of Consumer Counsel ("Consumer Counsel"); Central Telephone Company of Virginia, United Telephone-Southeast, Inc. and Sprint Communications Company of Virginia, Inc.; NTELOS Inc.; MCImetro Access Transmission Services of Virginia, Inc.; and Mrs. Irene E. Leech on behalf of the Virginia Citizens Consumer Council.

On July 18, 2005, the Staff filed a Stipulation and Motion to approve Stipulation ("Motion"), which presents for settlement purposes certain stipulated Rules for Local Exchange Telecommunications Company Service Quality Standards (Chapter 427) ("Settlement Rules"), and Telecommunications "Bill of Rights" for approval by the Commission.³ Pursuant to the Stipulation, the Stipulating Parties jointly present the Settlement Rules and urge their adoption for measuring the health of the telecommunications network and assuring a minimum level of service quality for all consumers. The

Stipulating Parties further agree that the Settlement Rules constitute a negotiated resolution of this rulemaking proceeding that is consistent with the local exchange telephone service competition policy of § 56-235.5:1 of the Code of Virginia. The Stipulating Parties waive further comment and hearing on their recommended Settlement Rules. The Stipulating Parties further recommend for settlement the adoption of the Bill of Rights.

The Commission is of the opinion that the Settlement Rules should now be considered in replacement of Staff's Revised Rules previously taken under consideration by our Second Order for Notice and Comment and that the Settlement Rules and Bill of Rights should be published in the Virginia Register of Regulations.

NOW THE COMMISSION, pursuant to § 12.1-13 of the Code of Virginia and 5 VAC 5-20-100 of the Commission's Rules of Practice and Procedure, finds that interested parties, other than the Stipulating Parties, should be permitted to comment further on the Settlement Rules, which the Commission now considers for replacement of the Revised Rules, and to comment on the stipulated Bill of Rights. The Settlement Rules are attached hereto as Attachment A and the stipulated Bill of Rights is attached hereto as Attachment B. Additionally, interested parties should be permitted to propose modifications or supplements to, or request a hearing on, the Settlement Rules and stipulated Bill of Rights. The Commission will defer consideration of all comments filed to date, pending further consideration of the Staff's Motion and the Stipulation.

Accordingly, IT IS ORDERED THAT:

(1) The Commission's Division of Information Resources shall forward the Settlement Rules (Chapter 427), Attachment A herein, and stipulated Bill of Rights, Attachment B herein, to the Registrar of Virginia for publication in the Virginia Register of Regulations.

(2) On or before July 22, 2005, the Commission's Division of Information Resources shall make a downloadable version of the Settlement Rules, Attachment A, and stipulated Bill of Rights, Attachment B, available for access by the public at the Commission's website, <http://www.scc.virginia.gov/caseinfo.htm>. The Clerk of the Commission shall make a copy of the Settlement Rules and stipulated Bill of Rights available for public inspection and provide a copy, free of charge, in response to any written request for one.

(3) Interested persons not participating in the Stipulation and wishing to comment on, propose modifications or supplements to, or request a hearing on the Settlement Rules or stipulated Bill of Rights, consistent with the findings above, shall file an original and fifteen (15) copies of such comments, proposals, or requests with the Clerk of the Commission, State Corporation Commission, P.O. Box 2118, Richmond, Virginia 23218, on or before September 8, 2005, making reference to Case No. PUC-2003-00110. Interested persons desiring to submit comments electronically may do so by following the instructions found on the Commission's website, <http://www.scc.virginia.gov/caseinfo.htm>. Requests for

¹ Second Order Prescribing Notice and Granting Leave to Comment Or Request Hearing, October 13, 2004, Case No. PUC-2003-00110 ("Second Order for Notice and Comment").

² Second Order for Notice and Comment, p. 3.

³ The commenters executing the Stipulation include: Virginia Cable Telecommunications Association; Cox Virginia Telcom, Inc.; Verizon Virginia Inc. and Verizon South Inc.; Consumer Counsel; United Telephone-Southeast, Inc.; Central Telephone Company of Virginia, and Sprint Communications Company of Virginia, Inc.; NTELOS, Inc., the parent company of NTELOS Telephone, Roanoke and Botetourt Telephone, NTELOS Network, and R&B Network; previous commenters joining the Stipulation include AT&T Communications of Virginia, LLC; Cavalier Telephone, LLC; and the Virginia Telecommunications Industry Association ("Stipulating Parties"). The Staff further reports that the Virginia Citizens Consumer Council has been consulted and is in agreement with the Settlement Rules.

hearing shall state with specificity why such concerns cannot be adequately addressed in written comments.

(4) This matter is continued for further orders of the Commission.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of Attorney General, 900 East Main Street, Second Floor, Richmond, Virginia 23219; Ms. Irene E. Leech, Virginia Citizens Consumer Counsel, 4220 North Fork Road, Elliston, Virginia 24087; Ms. Adria M. Woods, 2800-G Foxhunt Lane, N.W., Blacksburg, Virginia 24060; Hon. William Roscoe Reynolds, P.O. Box 404, Martinsville, Virginia 24114-0404; Mr. Stephen McClelland, #180075, Buckingham Correction Center, P.O. Box 430, Dillwyn, Virginia 23936-0430; all local exchange carriers certified in Virginia as set out in Appendix A; and the Commission's Office of General Counsel and the Division of Communications.

20 VAC 5-400-80. Regulation governing service standards for local exchange telephone companies; penalty. (Repealed.)

Each local exchange telephone company shall provide the necessary equipment, plant facilities, and personnel within its certificated area(s) to deliver high quality customer service.

There are eight key indicators that shall be used to measure the quality of service being furnished by the local exchange companies. Where applicable, service results from these key indicators shall be banded as follows:

- Satisfactory — Represents good service.
- Weak spot — Requires management attention and corrective action.
- Unsatisfactory — A level of service requiring immediate corrective action and management follow up.

The eight key indicators and their performance level bands are as follows:

~~SERVICE INDICATOR: Commission complaints per 1000 access lines per year.~~

~~DEFINITION: All customer complaints received by the Commission that, upon investigation, prove to be justified.~~

~~PERFORMANCE: Less than one per 1000 access lines per year~~

~~SERVICE INDICATOR: Trouble reports per 100 access lines per month.~~

~~DEFINITION: All customer trouble reports received, whether trouble was found or not found.~~

~~PERFORMANCE:~~

- ~~0 — 6.0 Sat.~~
- ~~6.1 — 8.0 Wkspt.~~
- ~~Over 8.0 Unsat.~~

~~SERVICE INDICATOR: Percent repeated trouble reports per month.~~

~~DEFINITION: The incidence of two or more trouble reports received from the same access lines within the same 30 day period, stated as a percent of total trouble reports.~~

~~PERFORMANCE:~~

- ~~0 — 16% Sat.~~
- ~~16.1 — 20% Wkspt.~~
- ~~Over 20% Unsat.~~

~~SERVICE INDICATOR: Network reports per 100 access lines per month.~~

~~DEFINITION: All customer trouble reports, whether found or not found, that are charged against the central office.~~

~~PERFORMANCE:~~

- ~~0 — .35 Sat.~~
- ~~0.36 — .45 Wkspt.~~
- ~~Over .45 Unsat.~~

~~SERVICE INDICATOR: Network switching performance, percent satisfactory per month.~~

~~DEFINITION: An index that measures the overall performance of central office equipment in providing dial tone, switching and connecting customers, and collecting call billing data.~~

~~PERFORMANCE BAND:~~

- ~~95.5 — 100% Sat.~~
- ~~92.0 — 95.4% Wkspt.~~
- ~~Under 92% Unsat.~~

~~SERVICE INDICATOR: Business office accessibility, percent per month~~

~~DEFINITION: The percent of all calls to the business office which are answered live within 20 seconds.~~

~~PERFORMANCE BAND:~~

- ~~85 — 100% Sat.~~
- ~~80 — 84.9% Wkspt.~~
- ~~Under 80% Unsat.~~

~~SERVICE INDICATOR: Repair service accessibility, percent per month.~~

~~DEFINITION: The percent of all calls to repair service which are answered live within 20 seconds.~~

~~PERFORMANCE BAND:~~

- ~~85 — 100% Sat.~~
- ~~80 — 84.9% Wkspt.~~
- ~~Under 80% Unsat.~~

Proposed Regulations

~~SERVICE INDICATOR: Service orders completed within five working days, percent per month.~~

~~DEFINITION: The percent of all single line new service orders completed within five working days of service application or the customer requested completion date.~~

~~PERFORMANCE BAND:~~

~~90–100% Sat.~~

~~85–89.9% Wkspt.~~

~~Under 85% Unsat.~~

~~Local exchange companies which exceed 20,000 access lines shall report data to the Commission's Division of Communications each month on the above described eight key indicators.~~

~~Nothing in this section shall be deemed to excuse a local exchange company from submitting any additional information requested by the Commission's Division of Communications.~~

~~Violations of this section shall be punishable pursuant to either § 56-483 or § 12.1-33 of the Code of Virginia or both.~~

CHAPTER 427.

RULES FOR LOCAL EXCHANGE TELECOMMUNICATIONS COMPANY SERVICE QUALITY STANDARDS.

20 VAC 5-427-10. Applicability; definitions.

A. The provisions of this chapter shall apply to local exchange telecommunications carriers (LECs) certificated to provide local exchange telecommunications services within the Commonwealth of Virginia.

B. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

["Automated answering system" means a system where customer calls are received and directed to a live agent or an automated transaction system.

"Automated transaction system" means a system where customer transactions can be completed without the assistance of a live agent.]

"Bridged tap" means a multiple appearance of the same cable pair at several distribution points or a section of a cable pair not on the direct electrical path between the central office and the user's customer's premises.

"Business office" means any functional entity that accepts service orders, billing inquiries, and processes other related customer requests.

"Busy hour" means the hour of each month in which a telecommunications system carries the most traffic sliding 60-minute period during which the maximum total traffic load in a given 24-hour period occurs.

"Central office" means a LEC operated switching system, including remote switches and associated transmission equipment (e.g., digital circuit switches, packet switches, carrier systems).

"Central office serving area" means the geographic area in which local service is provided by a LEC's central office and associated network outside plant.

"Commission" means the Virginia State Corporation Commission.

"Competitive local exchange carrier (CLEC)" means an entity, other than a locality, certificated to provide local exchange telecommunications services in Virginia after January 1, 1996, pursuant to § 56-265.4:4 of the Code of Virginia. ~~An incumbent local exchange carrier shall be considered a CLEC in any territory that is outside the territory it was certificated to serve as of December 31, 1995, for which it obtains a certificate to provide local exchange telecommunications services on or after January 1, 1996 and 20 VAC 5-417.~~

"Customer" means any person, firm, partnership, corporation, municipality, cooperative, organization, or governmental agency using that is an end user of local exchange telecommunications services provided by a LEC under the jurisdiction of the commission.

"Emergency" means a sudden or unexpected occurrence involving a clear and imminent danger [;] demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services.

~~"Facilities based LEC" means a LEC that provides local exchange telecommunications services in whole or in part by means of its own network facilities.~~

[~~"Federal Communications Commission (FCC) reportable outage" means a service outage that meets the FCC criteria for notification of service outage to the FCC as required by 47 CFR 63.100 et seq.~~

~~"Final trunk group" means a last choice trunk group that receives overflow calls and may receive first route calls for which there is no alternate route.]~~

"In service trouble report" means a customer-reported network trouble that allows calls to be originated or received but affects other aspects of service such as static or hazardous conditions.

"Incumbent local exchange carrier" or "incumbent" or "ILEC" means a public service company providing local exchange telecommunications services in Virginia on December 31, 1995, pursuant to a certificate of public convenience and necessity, or the successors to any such company.

"Intercept" means a ~~redirected call by an operator or a suitable recorded announcement that provides sufficient information as to the reasons for the call diversion, as well as directions to assist in completing the call.~~

[~~"Justified commission complaint" means a complaint submitted to the commission or staff involving a telecommunications service under the jurisdiction of the commission where it was determined by the commission or the staff that the LEC, its employees, or agents either: (i) failed to comply with its tariffs, procedures, or policies; (ii) used poor judgment; (iii) or resolved the customer's problem in an untimely or unsatisfactory fashion; or (iv) acted in an unreasonable or unprofessional manner.]~~

"Load coil" means an induction device employed in local loops exceeding 18,000 feet to minimize amplitude distortion.

"Local exchange carrier (LEC)" means a certificated provider of local exchange telecommunications services, whether an incumbent or a new entrant.

"Local exchange telecommunications services" means local exchange telephone service as defined by § 56-1 of the Code of Virginia.

"Locality" means a city, town, or county that operates an electric distribution system in Virginia.

"Major service outage" means any network condition that causes 1,000 or more customers to be out of service for 30 or more minutes; causes an unplanned outage of, or completely isolates, a central office for 30 or more minutes; or disrupts 911 emergency call processing for any period.

"Municipal local exchange carrier (MLEC)" means a locality certificated to provide local exchange telecommunications services pursuant to § 56-265.4:4 of the Code of Virginia.

"Network" means a system of central offices and associated outside plant.

"Network access line (NAL)" means a customer dial tone line, or its equivalent, that provides access to the public telecommunications network.

"New entrant" means a CLEC or an MLEC.

"Out of service" means a network service condition causing [:] (i) an inability to complete an incoming or outgoing call or (ii) ~~the presence of interference~~ any other condition that causes a connected call to be incomprehensible.

"Outside plant" means ~~all remaining~~ the network facilities not included in the definition of central office ~~(e.g. including, but not limited to, copper cables cable, fiber optic cables cable, coaxial cables cable, terminals, pedestals, load coils, or any other equipment normally associated with interoffice, feeder, and distribution facilities up to and including the rate demarcation point)~~.

"Rate demarcation point" means the point at which a LEC's network ends and a customer's wiring or facilities begin.

"Repeat report" means a customer-reported network trouble that is received by a LEC within 30 days of another network trouble report on the same NAL.

"Speed of answer interval (SAI)" means the period of time ~~measured in seconds following customer direction either at the completion of direct dialing, or upon completion of [the a customer's] final selection [or response] within an automated answering system, and lasting until the call is answered by a live agent or is abandoned by the customer or the LEC. In the case of automated transactions where a customer opts to speak to a live agent, the SAI is the period of time following the customer opting to speak to a live agent until the call is answered by a live agent or is abandoned by the customer or the LEC.~~

"Staff" means the commission's Division of Communications and associated personnel.

"Standard load" means transmission loss has been reduced on a cable pair by means of configuring the twisted copper pair loop using a 6,000 foot H spacing loading scheme or 4,500 foot D spacing loading scheme, which may be expressed as 6,000 foot H88 mh load or 4,500 foot d66 mh load scheme.

~~["Subsequent report" means a customer reported network trouble received by a LEC while the a related initial customer trouble report remains open.]~~

"Telecommunications relay service" means a telephone transmission service that provides the ability for an individual with a hearing or speech disability to engage in communication with a hearing individual in a manner functionally equivalent to someone without such a disability.

"Transmission" means a process of [~~sending information transmitting voice grade telecommunications~~] from one network point to another.

"Trouble" means an impairment of a LEC's network.

"Trouble report" means an initial oral or written notice, including voice mail and e-mail, to any LEC employee or agent of a condition that affects or may affect network service ~~for which there is no pending network trouble report.~~

"Trunk blockage" means the unavailability of network transmission capacity at the time of a call that prevents call completion and results in the call originator receiving a [fast] busy signal or an indication of trunk blockage.

~~["Unbundled network elements (UNE)" means the physical and functional components of the network, as defined by the FCC, that may be used or leased by a CLEC or a MLEC from an ILEC.]~~

"Virginia universal service plan (VUSP)" means the program under which eligible lower-income customers may obtain certain telecommunications services at reduced monthly charges and may also receive a discount on certain nonrecurring connection or service charges from participating LECs. This program is also referred to as lifeline or link up.

"Voice grade service" means the transmission of communication signals in the range of 0 to 4000 Hertz.

20 VAC 5-427-20. General provisions.

A. The provisions of this chapter prescribe the minimum acceptable level of quality of service under normal operating conditions.

B. The commission may, after investigation, suspend application of any provision of this chapter during periods of emergency, catastrophe, natural disaster, severe storm, or other events affecting large numbers of customers. The commission may also suspend application of the provisions of this chapter for other extraordinary or abnormal conditions, including work stoppage, civil unrest, major transportation disruptions, or other events beyond the control of a LEC.

20 VAC 5-427-30. Network facilities, construction, [operation,] maintenance, and [~~operation~~ repair].

A. Network facilities shall be designed, constructed, [operated,] maintained, and [~~operated~~ repaired] in

Proposed Regulations

compliance with [the] latest edition of the National Electric Safety Code of the Institute of Electrical and Electronics Engineers, Inc. applicable safety and electrical codes, [regulations and statutes;] applicable commission orders [, and rules;] and all requirements for interconnection under applicable federal and state law.

B. Outside plant shall be designed, constructed, [and operated,] maintained [and repaired] so as to prevent minimize transmission interference from services provided by other public utilities.

C. A LEC shall participate in operational reviews held at the staff's discretion to ensure that construction, design, maintenance, disaster recovery plans, and any other applicable programs are adequate to meet the needs of a LEC's customers.

D. A LEC shall have the test equipment and technical ability to determine the operating and transmission characteristics of its own [circuit and switching equipment network facilities].

E. A LEC, whenever it disturbs [private] property during the course of construction or maintenance operations, shall [, except when otherwise specified or governed by easement or agreement, make every reasonable effort to] restore the [private] property to a condition that is at least as good as that which existed prior to the disturbance.

[20 VAC 5-427-40. Reporting requirements.

A. ~~The reporting requirements as set forth in this section shall apply to a LEC with a total of 20,000 or more NALs.~~

B. ~~A LEC subject to the reporting requirements of this section shall fulfill its reporting requirements in conformance with 20 VAC 5-427-140. Reports shall be electronically submitted to the staff on a quarterly basis no later than one month following the end of each calendar quarter reporting period. A LEC may use its own report format with the prior approval of the staff. Any reported data resulting in an unsatisfactory rating shall be addressed in an action plan as set forth in 20 VAC 5-427-170 and shall be included in the LEC's required report. and shall report its results by one of the following two methods:~~

~~1. General reporting shall include all of the measurements set forth in 20 VAC 5-427-140 and shall be submitted to the staff on a quarterly basis no later than one month following the end of each calendar quarter reporting period. A LEC may use its own report format with the prior approval of the staff.~~

~~2. Exception reporting shall include each of the measurements set forth in 20 VAC 5-427-140 where a LEC failed to meet a given performance standard and shall be submitted to the staff on a monthly basis no later than one month following the end of each calendar monthly reporting period. A LEC may use its own report format with the prior approval of the staff.~~

C. ~~A CLEC or an MLEC LEC may request an exemption from any of the individual reporting requirements in this section if it demonstrates that its services are provided through the resale of an ILEC's tariffed services or through, the use or lease of an ILEC's unbundled network elements, or the use or lease of~~

~~any other network components over which it has no direct control. The commission or staff shall grant or deny a request for exemption on a case-by-case basis.~~

20 VAC 5-427-50 20 VAC 5-427-40]. Availability and retention of records.

A. ~~A LEC shall make available to the commission or staff, upon request, all records, reports, and other information required to determine compliance with this chapter and to permit the commission and staff to investigate and resolve quality of service complaints related to regulated telecommunications services.~~

B. ~~A LEC shall retain records [pursuant relevant] to [the requirements of 20 VAC 5-427-140 and 20 VAC 5-427-160 20 VAC 5-427-130], where applicable, for a minimum of three two years [in a manner that permits audit by the commission or staff].~~

C. ~~A LEC shall retain customer billing records for a minimum of three years to permit the commission or staff to investigate and resolve billing complaints.~~

[20 VAC 5-427-60 20 VAC 5-427-50]. Maintenance of facility maps and records.

~~A LEC or its affiliates shall maintain maps and records that show the current location, description, and capacity fill data of its network.~~

[20 VAC 5-427-70 20 VAC 5-427-60]. Rate and special charges information.

A. ~~[A LEC shall, upon Upon the] request [, disclose] verbally [to of] a current or prospective customer [, a LEC shall disclose] all rates, charges, and fees applicable to a customer's service request or inquiry including, but not limited to, the federal subscriber line charge or its equivalent; [,] or any other rates, charges, and fees that it collects and retains. In addition, [these the] rates, charges, and fees [that the LEC collects and retains] shall each be [clearly, conspicuously, and in every instance,] disclosed as line items on customer bills separately from governmental fees, taxes, and surcharges.~~

B. ~~Upon the request of a current or prospective customer, a LEC shall describe and disclose the fees, taxes, and surcharges that it collects from a customer and distributes to governmental agencies.~~

C. ~~Upon the request of a current or prospective customer, a LEC shall [refer , with specificity, provide] a customer [to with] an Internet website [address or website link] containing its [current effective] Virginia intrastate tariffs or, at the customer's request, provide a copy of the applicable tariff section or pages for the Virginia intrastate regulated telecommunications service or, at the customer's option, may refer a customer to an Internet website containing its tariffs.~~

D. ~~Upon the request of a current or prospective customer, a LEC shall provide reasonable access to information and provide assistance necessary to enable the current or prospective customer to obtain the most economical service available to meet the customer's needs, including VUSP or any other discount programs that may be available.~~

E. Before changing or installing a service, a LEC shall provide to the current or prospective customer an estimate of any special charges not specifically set forth in the LEC's applicable tariff. Special charges include, but are not limited to, any of the following: extraordinary construction, maintenance, and replacement costs; expenses for overtime work to be performed at the customer's request; or special installations, equipment, or assemblies needed to fulfill a customer's request.

[~~20 VAC 5-427-80~~ 20 VAC 5-427-70]. Response to trouble reports.

A. A LEC shall ~~take a process trouble report~~ reports from a ~~customer~~ customers at all times through [an] automated or live means [~~A LEC and~~] shall take immediate action to clear trouble reports of an emergency nature.

B. A LEC shall make a full and prompt investigation of all trouble reports [~~and shall render reasonable customer assistance~~] to its customer, whether an end user or another LEC, [~~to identify a cause for~~] the [~~an outage that may be corrected by the customer~~].

[C. A LEC shall render reasonable customer assistance to identify the cause or causes of an outage that may be corrected by the customer.]

[~~C. D.~~] A LEC shall maintain an accurate record of trouble reports by telephone number or circuit number, as appropriate. The record shall include all of the following information:

1. The customer or service affected;
2. The time, date, and nature of the trouble report;
3. The action taken to clear the trouble or satisfy the complaint; and
4. The date and time the repair was completed or the trouble report was otherwise closed.

[~~20 VAC 5-427-90~~ 20 VAC 5-427-80]. Service outage reporting requirements.

[~~A. A service outage report shall be made to the staff according to the following guidelines:~~

~~1. A. The staff shall be advised of a] major service outage [shall be reported to the staff] on the same business day or, if the outage occurs [after normal business hours or during a state holiday outside of the commission's normal business hours], at the beginning of the next business day [; .]~~

[~~2. An FCC reportable service outage shall be reported by a LEC to the staff at the same time it is reported to the FCC; and~~

~~3. A central office that experiences two or more unplanned outages within any 30-day period shall be reported by a LEC to the staff at the end of the calendar month in which the second unplanned] stoppage [outage occurred.]~~

~~B. A facilities-based LEC shall notify any affected LEC dependent upon its network, in whole or in part, within 90 minutes of becoming aware of a major or FCC reportable~~

~~service outage, unless interconnection agreements specify otherwise.]~~

~~C. Service outages first shall be reported by a LEC to the staff via telephone and followed up with an e-mail or facsimile message and contain the following~~

B. [~~The service outage report made to the staff shall include~~ A major service outage report shall be submitted to the staff by the end of the next business day following the outage and shall include the following information] :

1. The central office, remote switch, or other network facility involved;
2. The date and estimated time of commencement of the outage;
3. The geographic area affected;
4. The estimated number of customers affected;
5. The types of services affected;
6. The duration of the outage (e.g., time elapsed from the commencement of the outage until estimated restoration of full service); and
7. The apparent or known cause [or causes] of the ~~incident~~ outage, including the name and type of equipment involved and the specific part of the network affected, and methods used to restore service.

[~~20 VAC 5-427-100~~ 20 VAC 5-427-90]. Emergency operation.

[A.] A LEC shall make reasonable preparations to continue operations and restore service outages resulting from fire, major electric power failures, other emergencies, and acts of divine providence.

[B.] A LEC's employees or agents shall be instructed to follow [~~predetermined~~] emergency procedures to prevent or minimize interruption or degradation of service.

[C.] A [LEC's] central [~~office~~ offices] shall have access to adequate facilities to provide emergency electric power [~~A,~~ and the] LEC shall determine the necessary reserve power capacity requirement based on its operating experience with its energy provider.

[D. A. LEC shall] if a central office does not have power generation equipment installed, [~~a LEC shall~~] design and maintain sufficient battery reserve, within the appropriate ampere hour rating, to allow ~~time for~~ timely delivery and setup of portable generators.

[~~20 VAC 5-427-110~~ 20 VAC 5-427-100]. Customer complaint handling.

A LEC shall establish customer complaint processing procedures in compliance with § 56-247.1 C of the Code of Virginia by:

1. Providing the staff a means for immediate telephone access to company complaint resolution personnel during normal business hours;

Proposed Regulations

2. Providing the staff an escalation list of at least three company contacts responsible for resolving customer complaints received by the commission or staff. This list shall include the names, titles, addresses, telephone numbers, fax numbers, and e-mail addresses of each individual contact. Any changes to the escalation list shall be provided to the staff within 30 days of the change;

3. Making a full and prompt investigation of all customer complaints;

4. Assisting customers who report obscene, threatening, or harassing calls;

5. Providing customers ~~with~~ who call from within their local serving area toll-free ~~numbers~~ access to report complaints;

6. Making its customer complaint procedure and its record of the number and type of complaints available to the staff whenever requested;

7. Noting and retaining customer contact records when an inquiry or complaint is resolved. Customer contact records shall be retained for a minimum of ~~three~~ two years; and

8. Conducting an investigation upon notification by the staff [~~or~~ regarding] a customer inquiry or complaint. Out-of-service complaints shall be ~~resolved immediately~~ given immediate attention with a written response provided to the staff within [~~24 hours~~ one business day of notification by the staff]. For other complaints, the LEC shall provide a written ~~or e-mail~~ response to the staff detailing its resolution of the complaint within 10 business days following the initial notification by the staff. Upon extraordinary circumstances when the matter cannot be resolved within ~~the~~ [a] 10 business-day period, the LEC shall provide written updates ~~to~~ on a schedule [~~agreed to~~ established] by the staff ~~every fifth business day, or sooner,~~ until the matter is finally resolved.

[~~20 VAC 5-427-120~~ 20 VAC 5-427-110]. Intercept.

When a customer's telephone number is changed or disconnected, the LEC shall offer to intercept all calls to the former telephone number in accordance with the following:

1. Intercept service shall be provided for changed numbers until the former number is reassigned due to equipment or telephone numbering resource shortages or until it is no longer listed in the current directory; and

2. Intercept service shall be updated daily to reflect the most current service order activity affecting a LEC's customers.

[~~20 VAC 5-427-130~~ 20 VAC 5-427-120]. Printed directories.

A. A LEC responsible for publishing a directory shall make every reasonable effort to [~~resolve correct~~ directory [~~error~~ errors and to resolve directory] disputes in a timely and efficient manner. A LEC responsible for directory publication may be required by the commission [~~or directed by the staff~~] to postpone publication depending upon the nature and severity of a complaint. A LEC responsible for publishing a directory includes, but is not limited to, a LEC that publishes directories, causes directories to be published, or provides customer information for inclusion in directories.

B. A LEC shall publish directories or cause its customers' listing information to be published in directories at yearly intervals. Exceptions to the yearly publication schedule shall be reviewed with the staff.

C. A LEC shall distribute, or cause to be distributed at no charge to each customer, at least one directory for each residential premises and at least one directory for each business NAL that includes listings contained in a customer's local and extended calling areas. Where a residential customer has more than one NAL, a LEC shall, upon request of that customer, provide, at no charge, additional directories not to exceed the total number of NALs. In cases where one directory does not include the listings contained in a customer's local and extended calling areas, then a LEC shall provide, upon request of that customer, at no charge, any additional directories or supplements that may be required to provide such listings.

D. A LEC shall provide the staff one copy of each directory it publishes or causes to be published.

E. If an error occurs in the listed telephone number of a customer, then the LEC shall, at no charge, offer to intercept ~~or cause to be intercepted~~ [or remote forward] calls ~~to the listed number~~ [, at the option of the LEC,] for the remaining life of the directory; or change the customer's telephone number to the listed telephone number provided that it is technically feasible and that the telephone number is not in service for another customer.

F. If an error or omission in the name, address, or telephone number of a customer occurs, a LEC shall, if applicable, include, or cause to be included, the customer's correct name, address, or telephone number in the files of the directory assistance database.

G. If additions or changes to the network or any other operations require changing a telephone number assigned to a customer, then the serving LEC shall give reasonable notice to the customer affected even though the change in telephone number may coincide with the issuance of a directory.

H. A ~~LEC responsible for publishing a~~ directory shall, in the opening information pages, include:

1. Information pertaining to accessing emergency services such as fire and police;

2. Information giving the commission's address, telephone number, website information, and regulatory authority;

3. An explanation of the services for which local exchange telecommunications services may be terminated for failure to pay;

4. Information pertaining to accessing the Telecommunications Relay Service. This service is also referred to as Virginia Relay;

5. Information describing illegal telephone use;

6. Information describing procedures for the prevention of damage to underground facilities;

7. Information describing procedures on handling harassing, obscene, abusive, or threatening calls;

8. Information pertaining to consumer rights to privacy including procedures on how to opt out or block services that may lead to the disclosure of personal information; and

9. Information pertaining to procedures on how to prevent solicitation calls.

~~f. All LECs providing service in an area represented by a directory shall, in the opening pages, include or cause to be included:~~

- ~~1. The LEC's complaint procedure established in compliance with § 56-247.1 C of the Code of Virginia;~~
- ~~2. Contact information necessary to reach directory assistance, repair service, and the appropriate business office;~~
- ~~3. An Internet address directing access to its tariffs. If tariffs are not accessible via the Internet, a LEC shall provide a toll-free telephone number from which a customer can receive assistance in obtaining tariffs directly from the LEC;~~
- ~~4. Instructions for obtaining information on billing and annoyance call procedures; and~~
- ~~5. Information describing the availability of VUSP services.~~

~~i. All LECs appearing in the opening information pages of a directory shall include or cause to be included contact information necessary to call the repair service and the appropriate business office.~~

[20-VAC 5-427-140 20 VAC 5-427-130]. Service quality performance standards.

~~A. The rate of trunk blockage is a measure of the effectiveness of a LEC's engineering, forecasting, and maintenance of its circuit-switched inter- and intra-exchange trunk paths. The threshold for satisfactory performance is less than or equal to 1.0. This measurement shall be calculated for a given month, per central office, as illustrated by the following formula:~~

$$\frac{\text{Busy-hour calls blocked}}{\text{Busy-hour calls attempted}} \times 100 = \text{Trunk blockage}$$

- ~~1. Include in this report the following:

 - ~~a. Final trunk groups that carry local traffic;~~
 - ~~b. Final trunk groups that carry two-way local and long distance traffic between a central office and an access tandem switch; and~~
 - ~~c. Umbilicals or links that carry local traffic between central offices, including remotes.~~~~
- ~~2. Exclude from this report the following:

 - ~~a. Trunk groups that alternately route calls to another trunk group in handling public message calls; and~~
 - ~~b. Trunk groups that are dedicated to private or virtual private line use and trunk groups associated with mass calling networks or both.~~~~

~~B. A. Central office related trouble reports [per 100 NALs] is [a measure an indicator] of the quality of the switching systems and associated component's system performance in processing calls. The threshold standard for satisfactory performance [for any given central office] is [, without exception other than as permitted in this chapter,] less than or equal to 0.35 [central office trouble reports per 100 NALs, per calendar month]. [This measurement , as shown by the following formula, shall be calculated for a given month, per central office, as illustrated by the following formula: each central office on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months.~~

$$\frac{\text{Central office related trouble reports}}{\text{NALs at end of month}} \times 100 = \text{Central office related trouble reports}$$

~~NALs at end of month~~

~~Exclude from this report the following:~~

- ~~1. Reports of trouble from an employee or agent of a LEC discovered through diagnostic or other work done or during routine maintenance of equipment ;~~
- ~~2. Reports of trouble cleared to the connecting company's network; and~~
- ~~3. A subsequent report [Subsequent reports.]~~

~~C. B. Outside plant trouble reports [per 100 NALs] is [a measure an indicator] of [the] quality of [the] design, construction, and maintenance of the outside plant portion of the network associated with a central office a LEC's outside plant. The threshold standard for satisfactory performance is [, without exception other than as permitted in this chapter,] less than or equal to 3.0 [outside plant trouble reports per 100 NALs, per calendar month]. [This measurement as shown by the following formula, shall be calculated for] a given month, per central office serving area, as illustrated by the following formula: [each central office serving area, or by some other relevant designation as determined by the staff on a case-by-case basis, on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months.~~

$$\frac{\text{Outside plant trouble reports}}{\text{NALs at end of month}} \times 100 = \text{Outside plant trouble reports}$$

~~Excluded [Exclude from this report] are [the following:~~

- ~~1. Reports of trouble from an employee or agent of a LEC discovered through diagnostic or other work done or during routine maintenance of equipment ;~~
- ~~2. Reports of trouble cleared to the connecting company's network;~~
- ~~3. Reports of trouble] on [in which the employee or agent of a LEC, upon arriving at the customer location, is unable to gain access to the rate demarcation point within the~~

Proposed Regulations

~~scheduled time frame, and access is necessary for trouble analysis] and clearance [repair; and~~

~~4.] A subsequent report [Subsequent reports.]~~

~~D. C. Repeat report reports is a measure of a LEC's failure to resolve a network trouble on the initial attempt. Beginning January 1, 2004, through December 31, 2004, the performance threshold for repeat reports shall be no greater than 16%. As of January 1, 2005, the performance threshold for repeat reports shall be no greater than 14%. As of January 1, 2006, the performance threshold for repeat reports shall be no greater than 12%. As of January 1, 2007, the performance threshold for repeat reports shall be no greater than 10%. customer-reported network troubles received by a LEC within 30 days of another network trouble report on the same NAL. The standard for satisfactory performance [for repeat reports shall be no greater than shall not exceed, without exception other than as permitted in this chapter, a repeat report rate of] 16% [in any given 30-day period.] [This measurement, as shown by the following formula, shall be calculated for] a given month, per central office serving area, as illustrated by the following formula: [each central office serving area, or by some other relevant designation as determined by the staff on a case by case basis, on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months.~~

$$\frac{\text{Repeat reports}}{\text{Trouble reports cleared}} \times 100 = \text{Percent repeat reports}$$

~~Excluded [Exclude from this report] are [the following:~~

~~1. Reports of trouble from an employee or agent of a LEC discovered through diagnostic] or other [work] done [or during routine maintenance] of equipment [;~~

~~2. Reports of trouble in which the employee or agent of a LEC, upon arriving at the customer location, is unable to gain access to the rate demarcation point within the scheduled time frame, and access is necessary for trouble analysis and repair; and~~

~~3.] A subsequent report [Subsequent reports.]~~

~~E. D. Out-of-service trouble reports repaired within 24 [or and] 48 hours [are measures is a measure] of a LEC's ability to provide timely and effective restoration of a customer's service after receiving a trouble report that calls cannot be received or originated restore network service in a timely manner.~~

~~[1.] A LEC shall maintain a performance threshold of 80% or greater cleared within 24 hours. [Out-of-service trouble reports should generally be cleared within 24 hours.] The standard for satisfactory performance shall be that [, without exception other than as permitted in this chapter,] no less than 80% of out-of-service trouble reports are cleared within 24 hours, [and that, without exception other than as permitted in this chapter, no less than 95% are cleared within 48 hours, per calendar month,] excluding Sundays and [LEC-recognized] holidays. [This measurement, as shown by the following formula, shall be calculated for] a given month, per central office serving area, as illustrated by the following formula: [each central~~

~~office serving area, or by some other relevant designation as determined by the staff on a case-by-case basis, on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months.~~

$$\frac{\text{Out-of-service trouble reports cleared within 24 hours}}{\text{Out-of-service trouble reports}} \times 100 = \text{Percentage of out-of-service trouble reports cleared within 24 hours}$$

~~2.] A LEC shall maintain a performance threshold of 99% or greater cleared within 48 hours. [The standard for satisfactory performance shall be that no less than 99% of out-of-service trouble reports are cleared within 48 hours, excluding Sundays and holidays. This measurement, as shown by the following formula, shall be calculated for.] a given month, per central office serving area, as illustrated by the following formula: [each central office serving area, or by some other relevant designation as determined by the staff on a case by case basis, on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months.~~

$$\frac{\text{Out-of-service trouble reports cleared within 48 hours}}{\text{Out-of-service trouble reports}} \times 100 = \text{Percentage of out-of-service trouble reports cleared within 48 hours}$$

~~[3.] Excluded [Exclude from these reports] are [the following:~~

~~a. Customer requested extended interval appointments;~~

~~b. Reports of trouble from an employee or agent of a LEC discovered through diagnostic] or other [work] done [or during routine maintenance] of equipment;~~

~~[c.] An out-of-service trouble report on [Reports of trouble in which] an [the employee or agent of a LEC, upon arriving at the customer location, is unable to gain access to the rate demarcation point within the scheduled time frame, and access is necessary for trouble analysis and repair; and~~

~~d.] A subsequent report [Subsequent reports.]~~

~~F. E. In-service trouble reports cleared within 72 [or and] 96 hours [are measures is a measure] of a LEC's ability to provide timely and effective correction of a customer's service after receiving a trouble report repair network service in a timely manner. [In-service trouble reports should generally be cleared within 72 hours.]~~

~~[1.] A LEC shall maintain a performance threshold of 90% or greater cleared within 72 hours. The standard for satisfactory performance shall be that [, without exception other than as permitted in this chapter,] no less than 90% of in-service trouble reports are cleared within 72 hours, [and that, without exception other than as permitted in this chapter, no less than 95% are cleared within 96 hours, per calendar month,] excluding Sundays and [LEC-recognized] holidays. [This measurement, as shown by the following formula, shall be calculated for] a given month, per central office serving area, as illustrated by the~~

~~following formula: [each central office serving area, or by some other relevant designation as determined by the staff on a case-by-case basis, on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months.~~

$$\frac{\text{In-service trouble reports cleared within 72 hours}}{\text{In-service trouble reports}} \times 100 = \text{Percentage of in-service trouble reports cleared within 72 hours}$$

~~2.] A LEC shall maintain a performance threshold of 99% or greater cleared within 96 hours. [The standard for satisfactory performance shall be that no less than 99% of in-service trouble reports are cleared within 96 hours, excluding Sundays and holidays. This measurement, as shown by the following formula, shall be calculated for] a given month, per central office serving area, as illustrated by the following formula: [each central office serving area, or by some other relevant designation as determined by the staff on a case-by-case basis, on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months.~~

$$\frac{\text{In-service trouble reports cleared within 96 hours}}{\text{In-service trouble reports}} \times 100 = \text{Percentage of in-service trouble reports cleared within 96 hours}$$

~~3.] Excluded [Exclude from these reports] are [the following:~~

- ~~a. Customer requested extended interval appointments;~~
- ~~b. Reports of trouble from an employee or agent of a LEC discovered through diagnostic] or other work done [or during maintenance] of telecommunications equipment; and:~~

~~[c.] An in-service trouble report on which an [Reports of trouble in which the employee or agent of a LEC, upon arriving at the customer location, is unable to gain access to the rate demarcation point within the scheduled time frame, and access is necessary for trouble analysis and] clearance. [repair; and~~

~~d. Subsequent reports.]~~

~~G. F. Business office access is a measure of a LEC's ability to provide a sufficient [number of lines or trunks customer access] to reach its business office. A LEC shall maintain a performance threshold of 99% or greater of calls not blocked from entering its automated answering system or reaching The standard for satisfactory performance shall be that [, without exception other than as permitted in this chapter,] no less than 90% of business office calls [enter a LEC's automated answering system or reach a live agent for a LEC not utilizing an automated answering system are answered, per calendar month. A call is considered to have been answered when a live agent or an automated transaction system is ready to render assistance or accept the information necessary to process the call. In automated transaction systems, a customer shall be given the option to reach a live agent before the completion of the automated transaction]. [This measurement, as shown by the following formula, shall be calculated] for a given month [on a monthly basis, based~~

~~on the busy hour,] on a statewide basis, as illustrated by the following formula: [and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Busy hour calls not blocked}}{\text{Busy hour call attempts}} \times 100 = \text{Business office access percentage]}$$

~~H. G. Business office answer time is a measure of workforce performance in answering a LEC's ability to provide a sufficient workforce to render timely assistance to customers calling its business office calls in a timely manner. The standard for satisfactory performance threshold for business office answer time shall be [, without exception other than as permitted in this chapter,] an average speed of answer interval ("SAI") SAI of no greater than 39 60 seconds, during normal hours of operation [, per calendar month]. A call is considered to have been answered when a live agent is ready to render assistance [or accept the information necessary to process the call]. In automated transaction systems [where a customer transaction can be completed without the assistance of a live agent], a customer shall be given the option to reach a live agent [at any time during before the completion of] the automated transaction. Information including other than that necessary to direct customers to a live agent, for example, marketing or promotional material provided by an automated answering system, other than that necessary to direct customers to a live agent, during normal hours of operation, shall be included in the [cumulative] SAI. [This measurement as shown by the following formula, shall be calculated] for a given month, on a statewide basis, as illustrated by the following formula: [on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Cumulative SAI in seconds}}{\text{Calls answered by a live agent}} = \text{Business office answer time}$$

~~Exclude from this report] the following: [automated transactions where the customer did not opt to speak to a live agent.]~~

- ~~1. Customer initiated web transactions; and~~
- ~~2. Customer initiated automated transactions.~~

~~I. Business office hold time is a measure of workforce efficiency in processing customer requests. The performance threshold shall be an average hold time of no greater than 60 seconds. Business office hold time is any period after the call has been answered when the live agent is not actively engaged with the customer. This measurement shall be calculated for a given month, on a statewide basis, as illustrated by the following formula:~~

$$\frac{\text{Total hold time in seconds}}{\text{Total calls placed on hold by a live agent}} = \text{Business office hold time}$$

~~J. H. Repair center access is a measure of a LEC's ability to provide [a] sufficient [number of lines or trunks customer~~

Proposed Regulations

~~access] to [reach] its repair center. A LEC shall maintain a performance threshold of 99% or greater of calls not blocked from entering its automated answering system or reaching The standard for satisfactory performance shall be [, without exception other than as permitted in this chapter,] that no less than 90% of repair center calls [enter a LEC's automated answering system or reach a live agent for a LEC not utilizing an automated answering system are answered, per calendar month. A call is considered to have been answered when a live agent or an automated transaction system is ready to render assistance or accept the information necessary to process the call. In automated transaction systems, a customer shall be given the option to reach a live agent before the completion of the automated transaction]. [This measurement, as shown by the following formula, shall be calculated] for a given month [on a monthly basis, based on the busy hour,] on a statewide basis, as illustrated by the following formula: [and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Busy hour calls not blocked}}{\text{Busy hour call attempts}} \times 100 = \text{Repair center access percentage}$$

~~K. I. Repair center answer time is a measure of workforce performance in answering business office calls in a timely manner a LEC's ability to provide a sufficient workforce to render timely assistance to customers calling its repair center. The performance threshold standard for satisfactory performance for repair center answer time shall be [, without exception other than as permitted in this chapter,] an average SAI of no greater than 30 60 seconds [, per calendar month]. A call is considered to have been answered when a live agent is ready to render assistance [or accept the information necessary to process the call]. In automated transaction systems [where a customer transaction can be completed without the assistance of a live agent], a customer shall be given the option to reach a live agent [at any time during before the completion of] the automated transaction. Information including, other than that necessary to direct customers to a live agent, for example, marketing or promotional material provided by an automated answering system, other than that necessary to direct customers to a live agent, shall be included in the [cumulative] SAI. [This measurement as shown by the following formula, shall be calculated] for a given month, on a statewide basis, as illustrated by the following formula: [on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Cumulative SAI in seconds}}{\text{Calls answered by a live agent}} = \text{Repair center answer time}$$

~~Exclude from this report] the following: [automated transactions where the customer did not opt to speak to a live agent.]~~

- ~~1. Customer-initiated web transactions; and~~
- ~~2. Customer-initiated automated transactions.~~

~~L. Repair center hold time is a measure of workforce efficiency in processing customer trouble reports. The performance threshold shall be an average customer hold time of no greater than 60 seconds. Repair center hold time is any period after the call has been answered when the live agent is not actively engaged with the customer. This measurement shall be calculated for a given month, on a statewide basis, as illustrated by the following formula:~~

$$\frac{\text{Total hold time in seconds}}{\text{Total calls placed on hold by a live agent}} = \text{Repair center hold time}$$

~~M. J. Operator access is a measure of a LEC's ability to provide [a] sufficient [number of lines or trunks customer access] to [reach] operator services at all times. A LEC shall maintain a performance threshold of 99% or greater of calls not blocked from entering its automated answering system or reaching The standard for satisfactory performance shall be [, without exception other than as permitted in this chapter,] that no less than 95% of operator calls [enter a LEC's automated answering system or reach a live agent for a LEC not utilizing an automated answering system are answered, per calendar month. A call is considered to have been answered when a live agent or automated transaction system is ready to render assistance or accept the information necessary to process the call. In automated transaction systems, a customer shall be given the option to reach a live agent before the completion of the automated transaction]. [This measurement, as shown by the following formula, shall be calculated] for a given month [on a monthly basis, based on the busy hour,] on a statewide basis, as illustrated by the following formula: [and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Busy hour calls not blocked}}{\text{Busy hour call attempts}} \times 100 = \text{Operator access}$$

~~N. K. Operator answer time is a measure of workforce performance in answering a LEC's ability to provide a sufficient workforce to render timely assistance to customers placing directory assistance, collect, third-party billed, person-to-person, emergency, and other calls in a timely manner. The standard for satisfactory performance threshold for operator answer time shall be [, without exception other than as permitted in this chapter,] an average SAI of no greater than 45 20 seconds [, per calendar month]. A call is considered to have been answered when a live agent is ready to render assistance [or accept the information necessary to process the call]. In automated transaction systems [where a customer transaction can be completed without the,] assistance [of by] a live agent [, a customer] shall be [given the option to reach a live agent at any time during the automated transaction offered or provided]. Information including other than that necessary to [determine the customer's request or] direct customers to a live agent [or other services], for example, marketing or promotional material provided by an automated answering system, other than that necessary to direct customers to a live agent, shall be included in the [cumulative] SAI. [This measurement, as~~

~~shown by the following formula, shall be calculated] for a given month as illustrated by the following formula: [on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Cumulative SAI in seconds}}{\text{Calls answered by a live agent}} = \text{Operator answer time}$$

~~Exclude from this report] customer-initiated [automated transactions where the customer did not opt to speak to a live agent.]~~

~~Q. Nondispatchable service orders completed within two business days are a measure of a LEC's ability to complete installation and disconnection work requests, not requiring a dispatch of outside plant personnel, in a timely manner. A LEC shall complete no less than 90% of installations for one to five NALs within two business days. Nondispatchable service orders include requests for new service, transfers to new locations, additions to existing service, and requests for disconnection.~~

~~This measurement shall be calculated for a given month as illustrated by the following formula:~~

$$\frac{\text{Nondispatchable service orders completed within two business days}}{\text{Total nondispatchable service orders}} \times 100 = \text{Percentage of nondispatchable service orders completed within two business days}$$

~~Exclude from this report the following:~~

- ~~1. Customer requested extended interval installation orders; and~~
- ~~2. Orders completed late due to customer caused delay.~~

~~P. Dispatchable service orders completed within five business days are a measure of a LEC's ability to complete installation and disconnection work requests, requiring a dispatch of outside plant personnel, in a timely manner. A LEC shall complete no less than 90% of installations for one to five NALs within five business days. Dispatchable service orders include requests for new service, transfers to new locations, additions to existing service, and requests for disconnection.~~

~~This measurement shall be calculated for a given month as illustrated by the following formula:~~

$$\frac{\text{Dispatchable service orders completed within five business days}}{\text{Total dispatchable orders}} \times 100 = \text{Percentage of dispatchable service orders completed within five business days}$$

~~Exclude from this report the following:~~

- ~~1. Customer requested extended interval installation orders;~~
- ~~2. Orders completed late due to customer caused delay; and~~

~~3. Scheduled installations on which the employee or agent, upon arriving at a customer location during the agreed upon time, was unable to gain access to customer equipment necessary to perform the work.~~

~~L. Service orders completed within five business days is a measure of a LEC's ability to complete installation and disconnection work requests in a timely manner. The standard for satisfactory performance shall be [, without exception other than as permitted in this chapter,] that no less than 90% of installations for [one to two NALs for residential services and] one to five NALs [for business service, per premises,] are completed within five business days [, on a calendar month basis]. Service orders include requests for new service, transfers to new locations, additions to existing service, and requests for disconnection. [This measurement, as shown by the following formula, shall be calculated on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Service orders completed within five business days}}{\text{Total orders}} \times 100 = \text{Percentage of service orders completed within five business days}$$

~~Exclude from this report the following:~~

- ~~1. Customer requested extended interval installation orders;~~
- ~~2. Orders completed late due to customer caused delay; and~~
- ~~3. Scheduled installations in which the employee or agent of a LEC upon arriving at the customer location is unable to gain access to the rate demarcation point within the scheduled time frame, and access is necessary to perform the work.]~~

~~Q. M. Service orders completed within 30 calendar days are a measure of a LEC's ability to forecast [and complete] installation work requests in a manner [sufficient] to meet customer demand. A LEC shall complete The standard for satisfactory performance shall be [, without exception other than as permitted in this chapter,] that no less than 99% of installations for [one to two NALs for residential service and] one to five NALs [for business service, per premises] are completed within 30 calendar days [, on a calendar month basis]. Installation orders include requests for new service or transfers to new locations.~~

~~[This measurement, as shown by the following formula, shall be calculated] for [on a] given month as illustrated by the following formula: [monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard on a statewide basis for three consecutive months.~~

$$\frac{\text{Service order orders completed within 30 calendar days}}{\text{Total installation orders}} \times 100 = \text{Percentage of service orders completed within 30 calendar days}$$

~~Exclude from this report the following:~~

- ~~1. Customer requested extended interval installation orders;~~

Proposed Regulations

~~2. Orders completed late due to customer caused delay; and~~

~~3. Scheduled installations] on [in which the employee or agent of a LEC, upon arriving at] a [the customer location] during the agreed upon time, was [, is unable to gain access to] customer equipment [the rate demarcation point within the scheduled time frame, and access is necessary to perform the work.]~~

~~R. Customer N. Commitments met are is a measure of a LECs LEC's ability to complete meet customer installation and repair requests on time appointment times. A LEC shall meet The standard for satisfactory performance shall be [, without exception other than as permitted in this chapter,] that no less than 90% of customer commitments are met [, per calendar month]. [This measurement, as shown by the following formula, shall be calculated for] a given month, per [each central office serving area,] as illustrated by the following formula: [or by some other relevant designation as determined by the staff on a case by case basis, on a monthly basis and shall be reported to the staff if the LEC fails to meet the performance standard for three consecutive months:]~~

$$\frac{\text{Total [Commitments met]}}{\text{Total [Commitments made]}} = \frac{\text{[Percentage of customer commitments met]}}{\times 100}$$

~~[Exclude from this report commitments missed] due to inability to gain access to [in which the employee or agent of a LEC, upon arriving at the customer] equipment [location, is unable to gain access to the rate demarcation point within the scheduled time frame, and access is necessary to perform the work.~~

~~O. The rate of trunk blockage is a measure of the quality of a LEC's engineering, forecasting, and maintenance of its circuit-switched inter- and intra-exchange trunk paths. The standard for satisfactory performance for any given trunk group shall be, without exception other than as permitted in this chapter, less than or equal to 2.0% call blockage, during the busy hour, per calendar month.]~~

[20 VAC 5-427-150 20 VAC 5-427-140]. [Transmission and auditing Retail transmission] standards.

A. The copper twisted loop transmission standards are as follows:

- ~~1. Properly Fully load all voice grade loops greater than 18,000 feet;~~
- ~~2. No load coils on loops 18,000 feet or less;~~
- ~~3. Central office end section shall be Loop length from central office to first load coil approximately 1/2 of one standard load section for loaded loops;~~
- ~~4. The customer end section should be no more than Loop length from last load coil to rate demarcation point approximately 1-1/2 standard load sections;~~
- ~~5. No bridged taps between load coils;~~
- ~~6. Tip Ground, Ring Ground, or Tip Ring leakage should be equal to or greater than 100K ohms;~~

7. Longitudinal noise less than or equal to 80 dBmC;

8. Metallic noise less than 20 dBmC; and

9. 100% cable shield integrity between office frame ground and customer terminal.

B. In conducting a copper twisted pair transmission [audit test], the following shall be considered major faults:

1. Missing coil or coils on loops exceeding 18,000 feet;
2. Customer located less than 1/2 load section distance from last coil;
3. Customer end section located more than 10,000 feet 1-1/2 load sections from last coil;
4. Deviation greater than 10% from standard load spacing;
5. Double loads;
6. Wrong type load coils;
7. Load coils varying more than 25% from threshold load coil;
8. Load coils on a loop 18,000 feet or less;
9. More than a 12% deviation on the standard spacing on the office end section;
10. Bridged taps between load coils;
11. Tip Ground, Ring Ground, or Tip Ring leakage less than 100K ohms;
12. Voltage greater than 15 volts AC;
13. Voltage greater than 10 volts DC;
14. Longitudinal noise greater than 90 dBmC; and
15. Metallic noise greater than 20 dBmC.

C. In conducting a copper twisted pair transmission [audit test], the following shall be considered minor faults:

1. Longitudinal noise greater than 80 but less than or equal to 90 dBmC; and
2. Failure to maintain shield continuity.

D. A rate exceeding 6.0% in the major fault category or a rate exceeding 16% in the minor fault category will constitute a failed [inspection test]. A failed [inspection test] shall require a corrective action plan when appropriate as determined by the staff, as set forth in 20 VAC 5-427-170 [20 VAC 5-427-180 20 VAC 5-427-150].

~~[E. The staff may audit the design, construction, and maintenance of network facilities. A LEC shall participate in such audits as requested by the staff.]~~

20 VAC 5-427-160. Commission complaint threshold.

~~The commission complaint threshold is a measure of the number of justified commission complaints filed with the commission or staff against a LEC in a calendar year. Justified commission complaints in excess of one per 1,000 NALs, annualized, is unsatisfactory.~~

[20 VAC 5-427-160. Trunk group blockage.

~~The rate of trunk group blockage is a measure of the quality of a LEC's engineering, forecasting, and maintenance of its circuit switched inter and intra-exchange trunk paths. The standard for satisfactory performance shall be less than or equal to 2.0 % call blockage, during the busy hour, per month. The commission or the staff may conduct an investigation of trunk group blockage based solely on customer complaints. This measurement, when requested by the commission or staff as part of an investigation, shall be calculated for the trunk groups in question, as shown by the following formula:~~

$$\frac{\text{Busy hour calls blocked}}{\text{Busy hour calls attempted}} \times 100 = \text{Trunk blockage}$$

~~1. Include in this report the following:~~

- ~~a. Final trunk groups that carry local traffic;~~
- ~~b. Final trunk groups that carry two-way local and long distance traffic between a central office and an access tandem switch; and~~
- ~~c. Umbilicals or links that carry local traffic between central offices, including remotes.~~

~~2. Exclude from this report the following:~~

- ~~a. Trunk groups that alternately route calls to another trunk group in handling public message calls; and~~
- ~~b. Trunk groups that are dedicated to private or virtual private line use and trunk groups associated with mass calling networks or both.]~~

20 VAC 5-427-170. Action plan to remedy noncompliance.

~~A. A LEC subject to the reporting requirements of 20 VAC 5-427-140 shall submit a written action plan to remedy noncompliance if a LEC has:~~

- ~~1. Failed to meet a service quality performance standard established in 20 VAC 5-427-140 for at least three consecutive months;~~
- ~~2. Failed an audit pursuant to 20 VAC 5-427-150; or~~
- ~~3. Exceeded the commission complaint threshold pursuant to 20 VAC 5-427-160.~~

~~B. An action plan to remedy noncompliance shall be submitted to the staff within 30 days following the reported noncompliance or as otherwise requested by the staff. An action plan shall at a minimum contain:~~

- ~~1. A complete identification of the cause of noncompliance;~~
- ~~2. An explicit remedy or corrective action and a schedule of implementation of the remedial or corrective action to be taken by a LEC; and~~
- ~~3. A date by which a LEC will complete the remedial or corrective action identified.~~

~~C. Compliance by a LEC with the provisions of this section does not preclude the commission from further enforcement under its regulatory authority.~~

[20 VAC 5-427-170. Commission complaints.

~~Commission complaints are a measure of a LEC's ability to resolve customer complaints adequately and independently. The standard for satisfactory performance shall be less than one justified commission complaint per 1,000 NALs per year. Commission complaints within the satisfactory range may still be indicative of problems not otherwise addressed by this chapter. Accordingly, the commission or staff may investigate commission complaints without regard to a LEC's performance in this standard.~~

20 VAC 5-427-180. Remedies. 20 VAC 5-427-150. Corrective action.]

~~A. A LEC subject to the provisions of this chapter shall, upon request of the [commission or the] staff, take [timely and effective diagnostic or] corrective action to [remedy address] any area of [unsatisfactory demonstrable concern for service quality] performance or to address commission complaints.~~

~~B. A LEC subject to the provisions of this chapter shall, upon request of the [commission or the] staff, submit a corrective action plan to address any area of [noncompliance or demonstrable and continuing concern for service quality performance or to address recurring] commission complaints. Such action plan shall be submitted to the staff within 30 days unless otherwise requested by the staff. An action plan shall at a minimum contain:~~

- ~~1. A complete identification of the cause of unsatisfactory performance or commission complaints;~~
- ~~2. An explicit remedy or corrective action and a schedule of implementation of the remedial or corrective action to be taken by a LEC; and~~
- ~~3. A date by which a LEC will complete the remedial or corrective action identified.~~

~~[C. Failure by a LEC to meet any of the provisions of this chapter may result in enforcement and sanctions by the commission pursuant to its regulatory authority and applicable statutes.]~~

[20 VAC 5-427-160. Enforcement and sanctions.

~~Failure by a LEC to meet any of the provisions of this chapter may result in enforcement and sanctions by the commission pursuant to its regulatory authority and applicable statutes notwithstanding the submission of a corrective action plan as provided in 20 VAC 5-427-150.]~~

20 VAC 5-427-180 [20 VAC 5-427-190 20 VAC 5-427-170]. Waiver.

~~The commission may, at its discretion, waive or grant exceptions to any provision of this chapter.~~

Proposed Regulations

ATTACHMENT

Virginia Local Telephone Companies Telecommunications "Bill of Rights"*

You have a right to:

- Affordable and quality local telecommunications services
- Seamless levels of service when migrating between local telecommunications service providers
- Select and keep the telecommunications service provider of your choice
- Keep your telephone number when changing local telecommunications service providers [*while at the same location*]
- Maintain local telephone service when there is a valid billing dispute under investigation or when payments are current for basic local telecommunications services
- Identity protection to preclude the unauthorized use of records and personal information
- Safety and security of persons and property not to be intentionally jeopardized by telecommunications service providers
- Honest and accurate sales and service information
- Timely, accurate, and understandable billing
- Participate in the formation of Virginia telecommunications policies
- Dispute resolution up to and including a full hearing before the Virginia State Corporation Commission

*This "Bill of Rights" is a summary overview of your rights under various state and federal laws and regulations and does not independently create or vest enforceable substantive rights. Enforcement of your rights will depend upon the application of specific legal authorities to the circumstances of your particular dispute with the telephone company. If you believe that your legal rights have been violated and you cannot adequately resolve your dispute with your phone company, you may contact the SCC at 1-800-552-7945 or, if in the Richmond local calling area, 804-371-9420.

VA.R. Doc. No. R03-309; Filed July 19, 2005, 4:36 p.m.

FINAL REGULATIONS

For information concerning Final Regulations, see Information Page.

Symbol Key

Roman type indicates existing text of regulations. *Italic type* indicates new text. Language which has been stricken indicates text to be deleted. [Bracketed language] indicates a change from the proposed text of the regulation.

TITLE 9. ENVIRONMENT

STATE AIR POLLUTION CONTROL BOARD

REGISTRAR'S NOTICE: The State Air Pollution Control Board is claiming exemptions from §§ 2.2-4007, 2.2-4013, 2.2-4014 and 2.2-4015 of the Administrative Process Act. Sections 2.2-4007 M, 2.2-4013 E, 2.2-4014 D and 2.2-4015 C of the Administrative Process Act provide that these sections shall not apply to the issuance by the State Air Pollution Control Board of variances to its regulations.

Title of Regulation: 9 VAC 5-230. Variance for International Paper Franklin Paper Mill (adding 9 VAC 5-230-10 through 9 VAC 5-230-120).

Statutory Authority: § 10.1-1307 of the Code of Virginia.

Effective Date: September 7, 2005.

Agency Contact: Robert Mann, Director, Office of Air Regulatory Development, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4419, FAX (804) 698-4510, or e-mail ramann@deq.virginia.gov.

Summary:

The regulation grants a variance that allows the International Paper Company to comply with the variance and an associated federally enforceable state operating permit as an alternate demonstration of compliance with provisions of the regulations of the board pertaining to new source review and new source control technology review for the Franklin Paper Mill. The variance establishes emission caps that limit the sitewide emissions of the Franklin Paper Mill for the duration of the variance. The localities particularly affected are the cities of Franklin and Suffolk and the county of Isle of Wight.

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

CHAPTER 230.

VARIANCE FOR INTERNATIONAL PAPER FRANKLIN PAPER MILL.

9 VAC 5-230-10. Applicability and designation of affected facility.

The affected facility to which the provisions of this chapter apply is the International Paper Franklin Paper Mill.

9 VAC 5-230-20. Definitions.

A. For the purpose of applying this chapter in the context of the Regulations for the Control and Abatement of Air Pollution

and related uses, the words or terms shall have the meanings given them in subsection C of this section.

B. As used in this chapter, all terms not defined herein shall have the meanings given them in 9 VAC 5 Chapter 10 (9 VAC 5-10), Article 6 (9 VAC 5-80-1100 et seq.), Article 8 (9 VAC 5-80-1700 et seq.) or Article 9 (9 VAC 5-80-2000 et seq.) of Part II of 9 VAC 5-80, or commonly ascribed to them by recognized authorities, in that order of priority.

C. Terms defined.

"Control technology application" means a document that includes such information as may be required by the department to determine the effect of the proposed physical or operational change on the ambient air quality and to determine compliance with the emission standards that are applicable. The information required shall include, but is not limited to, the following:

1. Company name and address (or plant name and address if different from the company name), owner's name and agent, and telephone number and name of plant site manager or contact or both.
2. A description of the source's processes and products (by Standard Industrial Classification Code).
3. All emissions of regulated air pollutants.
 - a. An application shall describe all emissions of regulated air pollutants emitted from any emissions unit or group of emissions units to be covered by the control technology approval.
 - b. Emissions shall be calculated as required in a manner acceptable to the department.
 - c. Fugitive emissions shall be included in the application to the extent quantifiable.
4. Emissions rates in tons per year and in such terms as are necessary to establish compliance consistent with the applicable standard reference test method.
5. Information needed to determine or regulate emissions as follows: fuels, fuel use, raw materials, production rates, loading rates, and operating schedules.
6. Identification and description of air pollution control equipment and compliance monitoring devices or activities.
7. Limitations on source operation affecting emissions or any work practice standards, where applicable, for all regulated air pollutants at the source.
8. Calculations on which the information in subdivisions 3 through 7 of this subsection are based. Any calculations shall include sufficient detail to allow assessment of the validity of such calculations.

Final Regulations

9. Any additional information or documentation that the department deems necessary to review and analyze the air pollution aspects of the physical or operational change, including the submission of measured air quality data at the proposed site prior to construction of the physical or operational change. Such measurements shall be accomplished using procedures acceptable to the department.

"Department" means the Department of Environmental Quality, an agency of the Commonwealth described in § 10.1-1183 of the Code of Virginia.

"Emissions caps" means the sitewide limitations on the rate of emissions of air pollutants established and identified as emissions caps in 9 VAC 5-230-40 A [and B]. This limitation on the annual emissions of a pollutant, expressed in tons per year, is derived from emissions factors and quantification methods believed to be accurate at the time of adoption of this chapter. Emissions attributed to the emissions caps shall include fugitive emissions to the extent quantifiable, and emissions resulting from startup, shutdown and malfunction conditions.

"EPA" means the United States Environmental Protection Agency.

["FESOP" means the federally enforceable state operating permit issued under the authority of the Order, which meets the requirements of Article 5 (9 VAC 5-80-800 et seq.) of Part II of 9 VAC 5 Chapter 80 to International Paper Franklin Paper Mill.]

"International Paper" refers to International Paper Company, [~~Inc.~~] a New York corporation authorized to conduct business in Virginia and the owner and operator of a plant (the Franklin Paper Mill) located at 34040 Union Camp Drive in Franklin, Virginia.

["Order" means the order granting this variance.]

~~"FESOP" means the federally enforceable state operating permit issued under the authority of the Order, which meets the requirements of Article 5 (9 VAC 5-80-800 et seq.) of Part II of 9 VAC 5 Chapter 80 to International Paper Company, Inc., Franklin Paper Mill.]~~

"Major new source review (major NSR) program" means a program for the preconstruction review and permitting of new major stationary sources or major modifications (physical changes or changes in the method of operation) which are subject to review in accordance with Article 8 (9 VAC 5-80-1700 et seq.) or Article 9 (9 VAC 5-80-2000 et seq.) of Part II of 9 VAC 5 Chapter 80.

"Minor new source review (minor NSR) program" means a program for the preconstruction review and permitting of new stationary sources or modifications (physical changes or changes in the method of operation) which are subject to review in accordance with Article 6 (9 VAC 5-80-1100 et seq.) of Part II of 9 VAC 5 Chapter 80 and which do not qualify as new major stationary sources or major modifications under the major NSR program.

["Order" means the order granting this variance.]

"Physical or operational change" means any physical or operational change at the affected facility that involves the addition of a new emissions unit.

"SAPCB Regulations" means 9 VAC 5 Chapters 10 through 80.

"Site" and "Facility" and "Franklin Paper Mill" mean the [Kraft paper mill located on the] contiguous property at 34040 Union Camp Drive, Franklin, Virginia, under common control by International Paper [~~Company, Inc.~~] and its successors in ownership.

"VAC" or "9 VAC" means Title 9 of the Virginia Administrative Code. This title comprises the environmental regulations for the Commonwealth of Virginia, including the regulations of the board.

"Variance" means this chapter.

9 VAC 5-230-30. Authority to operate under this chapter and FESOP.

A. International Paper may operate under the provisions of this chapter and the FESOP:

1. Provided that International Paper has not administratively appealed the FESOP or filed a notice of appeal for judicial review during the period within which such appeals must be filed; and
2. International Paper has (i) provided written notification to the department that it accepts and will operate under the provisions of this chapter and the FESOP and (ii) received written confirmation of receipt by the department.

B. In no case may International Paper operate under the provisions of this chapter and the FESOP prior to [~~the initial effective date of this chapter~~ September 7, 2005].

9 VAC 5-230-40. Sitewide emissions caps.

A. [Except as provided in subsection B of this section,] on or after the date that International Paper is granted authority to operate under the provisions of this chapter and the FESOP, no owner or other person shall cause or permit to be discharged into the atmosphere from the affected facility any emissions in excess of the sitewide emissions caps set forth in subdivisions 1 through 10 of this subsection.

1. For particulate matter (PM), the emissions cap shall be 1166 tpy.
2. For particulate matter (PM₁₀), the emissions cap shall be 804 tpy.
3. For sulfur dioxide (SO₂), the emissions cap shall be [~~7900~~ 7890] tpy.
4. For oxides of nitrogen (NO_x), the emissions cap shall be 3000 tpy.
5. For carbon monoxide (CO), the emissions cap shall be [~~2574~~ 2568] tpy.
6. For volatile organic compounds (VOCs), the emissions cap shall be [~~694~~ 1209] tpy.

7. For total reduced sulfur (TRS), the emissions cap shall be [223 278] tpy.

8. For lead, the emissions cap shall be 0.135 tpy.

9. For sulfuric acid mist (H₂SO₄), the emissions cap shall be 100 tpy.

10. For fluorides, the emissions cap shall be 20.4 tpy.

[B. On the earlier of (i) the date that International Paper demonstrates compliance with the alternative emission standards in 40 CFR Part 63, Subpart S or (ii) April 17, 2007, the sitewide emission caps set forth in subdivisions A 6 and 7 of this section shall be adjusted as follows:

1. For volatile organic compounds (VOCs), the emissions cap shall be 694 tpy.

2. For total reduced sulfur (TRS), the emissions cap shall be 223 tpy.]

[~~B. C.~~] Compliance with the emission caps set forth in [~~subsection~~ subsections] A [and B] of this section shall be based on [~~a 12-month rolling sum~~ the actual emissions, calculated monthly as the sum of the previous 12 consecutive months].

[~~C. D.~~] If International Paper becomes subject to future regulations, International Paper may not use the emissions credits obtained from the associated emissions reductions to comply with the emissions caps.

9 VAC 5-230-50. New Source Review Program and registration requirements.

A. This section applies in lieu of certain regulatory requirements for the pollutants for which an emissions cap is established. This section is not intended to provide an alternate method of compliance for any future regulatory requirements, including those that are designed to address particulate matter with aerodynamic diameter less than or equal to a nominal 2.5 microns (PM_{2.5}) or ozone or both.

B. For the pollutants for which an emissions cap is established, compliance with this chapter and the FESOP shall constitute compliance with the following provisions of the SAPCB regulations:

1. 9 VAC 5 Chapter 50, Part II, Article 4 (9 VAC 5-50-240 et seq.).

2. 9 VAC 5 Chapter 80, Part II, Article 6 (9 VAC 5-80-1100 et seq.).

3. 9 VAC 5 Chapter 80, Part II, Article 8 (9 VAC 5-80-1700 et seq.).

4. 9 VAC 5 Chapter 80, Part II, Article 9 (9 VAC 5-80-2000 et seq.).

C. [~~For any modifications that would otherwise be subject to the minor NSR program and result in an increase in hazardous air pollutant emissions, International Paper will calculate and maintain records demonstrating that the emissions will not exceed the significant ambient air concentration for that pollutant as defined in~~ Except for the pollutants for which an emissions cap is established,

compliance with this chapter does not relieve International Paper from obligations to comply with requirements addressing emissions of hazardous air pollutants under] Articles 4 (9 VAC 5-60-200 et seq.) and 5 (9 VAC 5-60-300 et seq. [of Part II]) of 9 VAC 5 Chapter 60.

D. For any physical or operational change that would otherwise be subject to the major NSR program, International Paper shall submit a control technology application to and shall obtain approval thereof from the department that the control technology to be installed meets the applicable requirements of Article 4 (9 VAC 5-50-240 et seq.) of Part II of 9 VAC 5 Chapter 50. International Paper shall install emission controls that are consistent with the approval. International Paper may begin and complete actual construction of the physical or operational change prior to receiving approval from the department if each of the following conditions is met:

1. International Paper has submitted an approvable control technology application for the physical or operational change with a notice of intent to begin actual construction of the physical or operational change.

2. International Paper has submitted a certification that it (i) freely assumes all financial and other risks associated with beginning actual construction of the physical or operational change prior to receiving the control technology approval and (ii) acknowledges that the department, in evaluating the application, may not consider any consequences to the applicant of beginning actual construction prior to receiving the control technology approval.

3. The department has not, within 30 days of receipt of the application, issued a written notice to International Paper, based on concerns about air quality impacts or emissions control technology, requiring the termination of construction as soon as practicable but no later than five business days after receipt of the notice.

4. International Paper constructs the physical or operational change as described in the control technology application.

5. International Paper does not commence operation of the physical or operational change until the control technology approval has been granted.

E. If the department has not, within 60 days of receipt of the control technology application submitted in accordance with subsection D of this section, issued a written notice to International Paper either approving or objecting to the construction of the physical or operational change, the control technology application may be deemed granted.

F. All new source review permit program permits that have been issued to the affected facility prior to [~~the effective date of this chapter~~ September 7, 2005,] are rescinded. All terms and conditions not related to the unit-specific emission limitations that were established to limit the potential to emit for the affected units in order to avoid otherwise applicable requirements are included in the FESOP. The permits that are rescinded include, but are not limited to, the following:

1. Power boilers permit dated [~~8/3/2003~~ 4/8/2003] and amended on 7/6/2004;

Final Regulations

2. *Digesters, Evaporators, Bleach Plant and Recovery Boiler permit dated 5/11/2004;*
3. *Lime Kiln permit dated 3/16/2004;*
4. *Paper Machine permit dated 7/5/2001; and*
5. *Starch Silo permit dated [~~5/11/1993~~ 5/21/1993].*

9 VAC 5-230-60. Other regulatory requirements.

A. Compliance with other regulations shall be as follows:

1. *International Paper shall comply with the requirements of 40 CFR Part 63 except where alternative requirements have been established as provided in 40 CFR 63.99 (a) (46) (iii) (69 FR 19943, April 15, 2004), in which case International Paper shall comply with the permit terms and conditions setting forth the alternative requirements.*
2. *International Paper shall comply with all other regulations of the board except as provided in this chapter.*
3. *Compliance with this chapter and the terms and conditions of the FESOP shall not relieve International Paper of its obligation to comply with applicable local, state or federal laws and regulations not addressed in this chapter.*

B. *International Paper may not engage in any emissions trading beyond that allowed under a program approved by the board. No emissions credits obtained from emissions reductions external to the affected facility may be used to comply with the emissions caps.*

9 VAC 5-230-70. Federal operating permits.

A. *International Paper shall be subject to the provisions of 9 VAC 5 Chapter 80, Part II, Article 1 (9 VAC 5-80-50 et seq.) except that the FESOP and documentation submitted in obtaining the FESOP are deemed sufficient for the permit application requirements pertaining to the applicable requirements in the FESOP. For applicable requirements outside of the FESOP, International Paper shall submit information on standard forms provided by the department, or in accordance with instructions accompanying those forms, or as otherwise acceptable to the department.*

B. *International Paper shall be subject to the provisions of 9 VAC 5 Chapter 80, Part II, Article 2 (9 VAC 5-80-310 et seq.) and shall provide the department with emissions inventory update information sufficient to allow the department to assess permit program fees.*

9 VAC 5-230-80. FESOP issuance and amendments.

A. *The department may issue a FESOP under the provisions of Article 5 (9 VAC 5-80-800 et seq.) of Part II of 9 VAC 5 Chapter 80 to implement the provisions of this chapter. The FESOP shall include terms and conditions concerning monitoring, recordkeeping and reporting as may be necessary to ensure compliance with the emissions caps and may include such other terms and conditions as the department may determine are necessary to implement the provisions of this chapter.*

B. *The department shall issue the initial FESOP in accordance with the procedures set forth in the order. The department*

shall amend the FESOP in accordance with the procedures set forth in subsections C through E of this section. The department shall specify within the FESOP the conditions under which the FESOP may be amended.

C. *The department shall provide for public participation prior to issuing the FESOP. At a minimum, the department shall:*

1. *Make available for public inspection in at least one location in the area of the site the information submitted by International Paper, the department's analysis of the effect on air quality including the preliminary determination, and a copy or summary of any other materials considered in making the preliminary determination;*
2. *Notify the public, by advertisement in a newspaper of general circulation in the area of the site of the application, of the location of the information available for public inspection as specified in subdivision 1 of this subsection, and of the opportunity for comment at a public hearing as well as written public comment;*
3. *Provide a 30-day period for submittal of public comment;*
4. *Send a copy of the notice of public comment to the following: the EPA Administrator, through the appropriate regional office; any affected other state or local air pollution control agency; the chief executives of the city and county where the site is located; any state, federal land manager, or other governing body whose lands may be affected by emissions from the site; and*
5. *Provide opportunity for a public hearing for interested persons to appear and submit written or oral comments on the air quality impact of the site, the control technology required, and other appropriate considerations.*

D. *Upon request of the department, the public notice required under subdivision C 2 of this section shall be placed by International Paper in at least one newspaper of general circulation in the area of the site of the application. The notice shall be approved by the department and shall include information as the department deems appropriate.*

E. *For any change that does not meet the criteria for an administrative permit amendment established in subdivision F 1 of this section, the department shall provide an opportunity for public participation consistent with the provisions of subsection C of this section prior to processing the permit amendment.*

F. *The following provisions govern administrative permit amendments:*

1. *An administrative permit amendment is a permit revision that:*
 - a. *Corrects typographical errors;*
 - b. *Identifies a change in the name, address, or phone number of any person identified in the FESOP, or provides a similar minor administrative change at the site;*
 - c. *Requires more frequent monitoring, recordkeeping, or reporting by the permittee;*
 - d. *Allows for a change in ownership or operational control of a source where the department determines that no*

other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the department;

e. Changes the monitoring, recordkeeping, or reporting requirements for equipment that has been shutdown or is no longer in service; or

f. Any other change that is stipulated in the FESOP as qualifying as an administrative permit amendment, provided that the permit condition that includes such stipulation has already undergone public participation in accordance with subsection C of this section.

2. The department may make an administrative permit amendment consistent with the following procedures:

a. The department shall take final action on any request for an administrative permit amendment within 60 days from receipt of the request, and may incorporate such changes without providing notice to the public, provided that the department designates any such permit revisions as having been made pursuant to this subdivision.

b. The department shall submit a copy of the revised permit to the EPA Administrator.

c. International Paper may implement the changes addressed in the request for an administrative permit amendment immediately upon submittal of the request to the department.

9 VAC 5-230-90. Transfer of ownership.

A. The terms of this chapter and the FESOP are transferable to a new owner upon a change of ownership of the site in accordance with provisions specified by the FESOP.

B. In the case of a transfer of ownership of the site, the new owner shall comply with this chapter and the FESOP. The new owner shall notify the department of the change in ownership within 30 days of the transfer and shall request an administrative amendment to the FESOP as provided in 9 VAC 5-230-80 F.

C. In the case of a name change of the site, the owner shall comply with this chapter and the FESOP. The owner shall notify the department of the change in source name within 30 days of the name change and shall request an administrative amendment to the FESOP as provided in 9 VAC 5-230-80 F.

9 VAC 5-230-100. Applicability of future regulation amendments.

Subsequent amendments to the SAPCB regulations cited in 9 VAC 5-230-50 to which this chapter provides relief shall not apply to the Franklin Paper Mill unless and until the board amends this chapter to specifically address the applicability of the regulatory amendments to the facility. [In any action to amend this chapter, the board will, to the maximum extent possible and consistent with its statutory authority and responsibilities, preserve the operating flexibility and regulatory simplification achieved by the International Paper Environmental Innovations Project and justified by the superior environmental performance it provides.]

9 VAC 5-230-110. Termination of authority to operate under this chapter and FESOP.

A. Authority to operate under this chapter and the FESOP may be terminated as provided below upon written notice for any of the following reasons:

1. If the department determines that continuation of the permit is an imminent and substantial endangerment to the public health or welfare or the environment.

2. If International Paper knowingly falsifies emissions data.

3. If any of the emissions caps are exceeded.

4. For any other reasons not specified here for which the department has legal authority to terminate the authority to operate under this chapter and the FESOP.

B. Notifications of termination will be provided as follows:

1. If the department finds cause to terminate the authority to operate under this chapter or the FESOP, the department will submit notification to International Paper in writing.

2. Within 30 days of receiving this notification International Paper may take corrective action to remedy the cause of the termination. If this remedy is deemed acceptable by the department, the action to terminate the authority to operate under this chapter and the FESOP shall be withdrawn. Otherwise the authority to operate under this chapter and the FESOP shall be terminated. [Nothing in this section shall be construed to require the department to terminate this permit or to prevent the department from entering into a negotiated agreement such as a compliance schedule or administrative order to resolve the issue leading to the notice of termination.]

3. If the authority to operate under this chapter and the FESOP is terminated for any reason, International Paper shall submit an appropriate application for applicable new source review program permits and a new application for a federal operating permit. During the interim period, International Paper shall comply with the requirements of this chapter, the FESOP and the current federal operating permit until the new permit is issued.

9 VAC 5-230-120. Review and confirmation of this chapter by board.

A. Within four years of [~~the effective date of this chapter September 7, 2005~~], the department shall perform an analysis of this chapter and provide the board with a report on the results. The analysis shall include any recommendations for amendment to or repeal of this chapter based on (i) the needs of the Commonwealth's overall air quality management strategy; (ii) current state and federal statutory and regulatory requirements; (iii) an assessment of the effectiveness of this chapter; (iv) a reevaluation of the appropriateness of the emissions caps, including the need for increasing or decreasing the emission caps; and (v) any other factors the department may determine are necessary to include for consideration in review of this chapter. The department shall also include a recommendation for reapportionment of emissions in the event of the repeal of this chapter.

Final Regulations

B. Upon review of the department's analysis, the board [~~shall~~ will] confirm the need to (i) continue this chapter without amendment, (ii) repeal this chapter, or (iii) amend this chapter. If the board's decision is to repeal or amend this chapter, the board [~~shall~~ will] authorize the department to initiate the applicable regulatory process to carry out the decision of the board.

C. The authority of International Paper to operate under the provisions of this chapter and the FESOP shall be terminated upon the effective date of the repeal of this chapter.

D. For purposes of applying subsequent amendments to, or the repeal of, the provisions of this chapter, the effective date of any subsequent amendments adopted by the board shall be the date 30 days after the date on which a notice is published in the Virginia Register acknowledging that the administrator has approved the amendments adopted by the board following the requirements of 40 CFR Part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans).

VA.R. Doc. No. R05-137; Filed July 20, 2005, 8:04 a.m.

TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

BOARD OF PHARMACY

Title of Regulation: **18 VAC 110-20. Regulations Governing the Practice of Pharmacy (adding 18 VAC 110-20-276 and 18 VAC 110-20-515).**

Statutory Authority: §§ 54.1-2400 and 54.1-3307 of the Code of Virginia.

Effective Date: September 7, 2005.

Agency Contact: Elizabeth Scott Russell, Rph, Executive Director, Board of Pharmacy, 6603 West Broad Street, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313, or e-mail elizabeth.russell@dhp.virginia.gov.

Summary:

The amendments set out the requirements and conditions that must be met for a dispensing pharmacy (a retail pharmacy or within a hospital or long-term care facility) to outsource prescription order processing to a remote or centralized location. Regulations establish the aspects of the dispensing process that may be performed at the remote pharmacy, requirements for accountability and adherence to Virginia law and regulation, required content of a policy and procedure manual for outsourcing, and requirements for recordkeeping and confidentiality. The rules for retail pharmacies also include requirements for disclosure of the outsourcing arrangement to the public.

Amendments were made in the final adoption to require the central or remote pharmacy to comply with Virginia regulation as well as law with respect to requirements for supervision and the duties restricted to a pharmacist or

pharmacy technician and for technicians to possess credentials substantially equivalent to those required in Virginia. Also, most states have pharmacist/technician ratios more restrictive than Virginia but some have no ratio, so amendments to the regulation ensure that processing is not performed at a location with an excessive number of technicians and only one pharmacist/supervisor.

Summary of Public Comments and Agency's Response: A summary of comments made by the public and the agency's response may be obtained from the promulgating agency or viewed at the office of the Registrar of Regulations.

18 VAC 110-20-276. Central or remote processing.

A. Centralized or remote processing of a prescription does not include the dispensing of a drug, but does include any of the following activities related to the dispensing process:

1. Receiving, interpreting, analyzing, or clarifying prescriptions;
2. Entering prescription and patient data into a data processing system;
3. Transferring prescription information;
4. Performing a prospective drug review as set forth in § 54.1-3319 of the Code of Virginia;
5. Obtaining refill or substitution authorizations, or otherwise communicating with the prescriber concerning a patient's prescription;
6. Interpreting clinical data for prior authorization for dispensing;
7. Performing therapeutic interventions; or
8. Providing drug information or counseling concerning a patient's prescription to the patient or patient's agent.

B. A pharmacy may outsource certain prescription processing functions as described in subsection A of this section to another pharmacy in Virginia or a registered nonresident pharmacy under the following conditions:

1. The pharmacies shall either have the same owner or have a written contract describing the scope of services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with all federal and state laws and regulations related to the practice of pharmacy;
2. Any central or remote pharmacy shall comply with Virginia law [and regulation] with respect to [requirements for supervision of pharmacy technicians and the] duties that are restricted to pharmacists [,] and pharmacy technicians [~~must be directly supervised by a pharmacist~~ . Pharmacy technicians at the remote pharmacy shall either be registered in Virginia or possess credentials substantially equivalent to those required for a technician registered in Virginia];
3. A pharmacist licensed in Virginia, whether at the remote pharmacy or the dispensing pharmacy, shall perform a check for accuracy on all processing done by the remote processor; and

4. The pharmacies shall share a common electronic file or have technology that allows sufficient information necessary to process a nondispensing function.

C. Any pharmacy that outsources prescription processing to another pharmacy shall provide notification of such to patients. A one-time written notification or a sign posted in the pharmacy in a location that is readily visible to the public will satisfy this notification requirement. The notice shall state the name of any contract pharmacy providing central or remote prescription processing. If the pharmacy uses a network of pharmacies under common ownership, this fact shall be disclosed in the notice.

D. A policy and procedure manual that relates to central or remote processing shall be maintained at each pharmacy involved in the processing of a prescription and available for inspection. The manual shall at a minimum include the following:

1. The responsibilities of each pharmacy;
2. A list of the name, address, telephone numbers, and permit/registration numbers of all pharmacies involved in central or remote processing;
3. Procedures for protecting the confidentiality and integrity of patient information;
4. Procedures for ensuring that pharmacists performing prospective drug reviews have access to appropriate drug information resources;
5. Procedures for maintaining required records;
6. Procedures for complying with all applicable laws and regulations to include counseling;
7. Procedures for objectively and systematically monitoring and evaluating the quality of the program to resolve problems and improve services; and
8. Procedures for annually reviewing the written policies and procedures for needed modifications and documenting such review.

E. In addition to any other required records, pharmacies engaged in central or remote processing shall maintain retrievable records that show, for each prescription processed, each individual processing function and identity of the pharmacist or pharmacy technician who performs a processing function and the pharmacist who checked the processing function, if applicable.

1. The records may be maintained separately by each pharmacy, or in a common electronic file shared by both pharmacies provided the system can produce a record showing each processing task, the identity of the person performing each task, and the location where each task was performed.
2. The record shall be readily retrievable for at least the past two years through the primary dispensing pharmacy, and shall be available for inspection by the board.

F. Nothing in this section shall prohibit an individual employee licensed as a pharmacist in Virginia from accessing the employer pharmacy's database from a remote location for the

purpose of performing certain prescription processing functions as described in subsection A of this section, provided the pharmacy establishes controls to protect the privacy and security of confidential records.

18 VAC 110-20-515. Remote prescription order processing for hospitals and long-term care facilities.

A. Remote processing of a prescription does not include the dispensing of a drug, but does include any of the following activities related to the dispensing process:

1. Receiving, interpreting, analyzing, or clarifying prescriptions;
2. Entering prescription and patient data into a data processing system;
3. Transferring prescription information;
4. Performing a prospective drug review to include an evaluation of a prescription order and patient records for over- or under-utilization of medication, therapeutic duplication of medication, drug disease contraindications, drug interactions, incorrect drug dosage or duration of drug treatment, or clinical abuse or misuse of medication;
5. Obtaining substitution authorizations, or otherwise communicating with the prescriber concerning a patient's order;
6. Interpreting or acting on clinical data;
7. Performing therapeutic interventions;
8. Providing drug information to the medical or nursing staff of the hospital or long-term care facility; or
9. Authorizing the administration of the drug to the patient by appropriate hospital or long-term care facility staff.

B. The primary pharmacy providing pharmacy services to a hospital or long-term care facility may outsource certain order processing functions as described in subsection A of this section to another pharmacy in Virginia or a registered nonresident pharmacy under the following conditions:

1. The pharmacies shall either have the same owner or have a written contract describing the scope of services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with all federal and state laws and regulations related to the practice of pharmacy;
2. ~~[Any pharmacist participating in remote prescription order processing shall be a Virginia licensed pharmacist and the remote pharmacy shall comply with Virginia law with respect to duties that are restricted to pharmacists and supervision requirements for pharmacy technicians. Any central or remote pharmacy shall comply with Virginia law and regulation with respect to requirements for supervision of pharmacy technicians and the duties that are restricted to pharmacists and pharmacy technicians. Pharmacy technicians at the remote pharmacy shall either be registered in Virginia or possess credentials substantially equivalent to those required for a technician registered in Virginia];~~

Final Regulations

3. ~~[A pharmacist licensed in Virginia, whether at the remote pharmacy or the dispensing pharmacy, shall perform a check for accuracy on all processing done by the remote processor. Any pharmacist participating in remote prescription order processing shall be a Virginia licensed pharmacist]; and~~

4. The pharmacies shall share a common electronic file or have technology that allows sufficient information necessary to process a prescription order.

C. A policy and procedure manual that relates to remote processing shall be maintained at each pharmacy involved in the processing of a prescription and available for inspection. The manual shall at a minimum include the following:

1. The responsibilities of each pharmacy;
2. A list of the name, address, telephone numbers, and permit/registration numbers of all pharmacies involved in remote processing;
3. Procedures for protecting the confidentiality and integrity of patient information;
4. Procedures for ensuring that pharmacists performing prospective drug reviews have access to appropriate drug information resources;
5. Procedures for maintaining required records;
6. Procedures for complying with all applicable laws and regulations;
7. Procedures for objectively and systematically monitoring and evaluating the quality of the program to resolve problems and improve services; and
8. Procedures for annually reviewing the written policies and procedures for needed modifications and documenting such review.

D. A pharmacy involved in remote prescription order processing shall maintain a record that identifies each person who performed a processing function for every order.

1. The record shall be available by prescription order or by patient name.
2. The record may be maintained in a common electronic file if the record is maintained in such a manner that the data processing system can produce a printout that identifies every person who performed a task involved in processing a prescription order and the location where the task was processed.
3. The record shall be readily retrievable for at least the past two years through the primary dispensing pharmacy, and shall be available for inspection by the board.

E. Nothing in this section shall prohibit an individual employee licensed as a pharmacist in Virginia from accessing the employer pharmacy's database from a remote location for the purpose of performing certain prescription processing functions as described in subsection A of this section provided the pharmacy establishes controls to protect the privacy and security of confidential records.

NOTICE: The forms used in administering 18 VAC 110-20, Regulations Governing the Practice of Pharmacy, are not being published due to the large number; however, the name of each form is listed below. The forms are available for public inspection at the Department of Health Professions, 6603 West Broad Street, Richmond, Virginia, or at the office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia.

FORMS

- Application for Registration as a Pharmacy Intern (rev. 6/04).
- Affidavit of Practical Experience, Pharmacy Intern (rev. 12/02).
- Application for Licensure as a Pharmacist by Examination (rev. 10/02).
- Application to Reactivate Pharmacist License (rev. 10/02).
- Application for Approval of a Continuing Education Program (rev. 11/02).
- Application for Approval of ACPE Pharmacy School Course(s) for Continuing Education Credit (rev. 11/02).
- Application for License to Dispense Drugs (permitted physician) (rev. ~~40/02~~ 8/04).
- Application for a Pharmacy Permit (rev. ~~44/02~~ 8/04).
- Application for a Nonresident Pharmacy Registration (rev. ~~40/02~~ 8/04).
- Application for a Permit as a Medical Equipment Supplier (rev. ~~40/02~~ 8/04).
- Application for a Permit as a Restricted Manufacturer (rev. ~~40/02~~ 8/04).
- Application for a Permit as a Nonrestricted Manufacturer (rev. ~~40/02~~ 8/04).
- Application for a Permit as a Warehouse (rev. ~~40/02~~ 8/04).
- Application for a License as a Wholesale Distributor (rev. ~~40/02~~ 8/04).
- Application for a Nonresident Wholesale Distributor Registration (rev. ~~40/02~~ 8/04).
- Application for a Controlled Substances Registration Certificate (rev. ~~40/02~~ 8/04).
- Renewal Notice and Application, 0201 Pharmacy (rev. 12/02).
- Renewal Notice and Application, 0202 Pharmacist (rev. 12/02).
- Renewal Notice and Application, 0205 Permitted Physician (rev. 12/02).
- Renewal Notice and Application, 0206 Medical Equipment Supplier (rev. 12/02).
- Renewal Notice and Application, 0207 Restricted Manufacturer (rev. 12/02).
- Renewal Notice and Application, 0208 Non-Restricted Manufacturer (rev. 12/02).

Renewal Notice and Application, 0209 Humane Society (rev. 12/02).

Renewal Notice and Application, 0214 Non-Resident Pharmacy (rev. 12/02).

Renewal Notice and Application, 0215 Wholesale Distributor (rev. 12/02).

Renewal Notice and Application, 0216 Warehouser (rev. 12/02).

Renewal Notice and Application, 0219 Non-Resident Wholesale Distributor (rev. 12/02).

Renewal Notice and Application, 0220 Business CSR (rev. 12/02).

Renewal Notice and Application, 0228 Practitioner CSR (rev. 12/02).

Application to Reinstate a Pharmacist License (rev. 11/02).

Application for a Permit as a Humane Society (rev. ~~40/02~~ 8/04).

Application for Registration as a Pharmacy Intern for Graduates of a Foreign College of Pharmacy (rev. 6/04).

Closing of a Pharmacy (rev. 3/03).

Application for Approval of a Robotic Pharmacy System (rev. 11/02).

Notice of Inspection Fee Due for Approval of Robotic Pharmacy System (rev. 11/02).

Application for Approval of an Innovative (Pilot) Program (rev. ~~44/02~~ 8/04).

Application for Registration as a Pharmacy Technician (~~42/02~~ 6/04).

Application for Approval of a Pharmacy Technician Training Program (12/02).

Application for Registration for Volunteer Practice (eff. 12/02).

Sponsor Certification for Volunteer Registration (eff. 1/03).

VA.R. Doc. No. R04-251; Filed July 20, 2005, 10:24 a.m.



FAST-TRACK REGULATIONS

Section 2.2-4012.1 of the Code of Virginia provides an exemption from certain provisions of the Administrative Process Act for agency regulations deemed by the Governor to be noncontroversial. To use this process, Governor's concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations will become effective on the date noted in the regulatory action if no objections to using the process are filed in accordance with § 2.2-4012.1.

TITLE 12. HEALTH

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

Notice of Objection to Fast-Track Rulemaking

REGISTRAR'S NOTICE: Pursuant to § 2.2-4012.1 of the Code of Virginia, the Department of Medical Assistance Services has filed a notice of objection to the amendments published in 21:15 VA.R. 2125-2134 April 4, 2005. The department intends to proceed with the normal promulgation process set out in Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of the Administrative Process Act with the initial publication of the fast-track regulation serving as the Notice of Intended Regulatory Action.

Title of Regulation: 12 VAC 30-40. Eligibility Conditions and Requirements (amending 12 VAC 30-40-290 and 12 VAC 30-40-300).

Fast-Track Publication Date: 21:15 VA.R. 2125-2134 April 4, 2005.

The Department of Medical Assistance Services is hereby filing a Notice of Objection to the fast-track rulemaking for 12 VAC 30-40, Eligibility Conditions and Requirements. The fast-track regulation was published in 21:15 VA.R. 2125-2134 April 4, 2005. A 60-day comment period was provided with public comment received until June 3, 2005.

The purpose of the amendments to the regulation was to foreclose the possibility of an individual creating an annuity for himself in such a way as to shelter his assets and resources in order to impoverish himself sufficiently to qualify for Medicaid eligibility. The department received more than the requisite number of 10 objections to the fast-track regulation from the general public during the comment period. Therefore, the fast-track process is terminated and the amendments published in 21:15 VA.R. 2125-2134 April 4, 2005, did not take effect on June 20, 2005. The department will consider promulgation of this regulation under the Administrative Process Act utilizing the fast-track notice as the Notice of Intended Regulatory Action as provided in § 2.2-4012.1 of the Code of Virginia.

Agency Contact: Patricia Sykes, Department of Medical Assistance Services, 600 East Broad Street, Richmond, VA 23219, telephone (804) 786-7958, or e-mail Patricia.Sykes@dmas.virginia.gov.

VA.R. Doc. No. R05-155; Filed July 27, 2005, 4:19 p.m.

GOVERNOR

EXECUTIVE ORDER NUMBER 88 (2005)

**A CONTINUATION AND MODIFICATION OF THE
DECLARATION OF A STATE OF EMERGENCY FOR
THE COMMONWEALTH OF VIRGINIA DUE TO THE
SIGNIFICANT FLOODING AND WIND DAMAGE
CAUSED BY HURRICANE ISABEL**

On September 16, 2003, I issued Executive Order Fifty-Six (2003) declaring a state of emergency to exist for the entire Commonwealth of Virginia based on forecasts that indicated that Hurricane Isabel could cause damaging high winds, flash flooding, and possible tornadoes throughout the state. On September 18 and 19, 2003, Hurricane Isabel did in fact cause significant damage through much of the Commonwealth.

On October 13, 2003, I issued Executive Order Fifty-Eight (2003), a modification of the Declaration of a State of Emergency declared in Executive Order Fifty-Six (2003). Executive Order Fifty-Eight authorized the Marine Resources Commissioner to act on behalf of the Commission in issuing permits pursuant to Chapter 12 of Title 28.2 of the Code of Virginia when, in the judgment of the Commissioner, it is necessary to address immediate health and safety needs and the Commissioner would be unable to convene a meeting of the full Commission in a timely manner. Executive Order Fifty-Eight further stated that no permits for encroachments over state-owned submerged lands shall be required to replace previously permitted structures that conform to stated criteria, which included the requirement that reconstruction activities must be initiated prior to December 31, 2003 and completed prior to June 30, 2004. On April 7, 2004, I extended the time frame for these provisions in Executive Order Sixty-Six (2004).

The devastation caused by Hurricane Isabel was so profound that a few Virginia residents, particularly those in coastal or tidal areas, have been engaged in major home reconstruction activities and have been unable to begin reconstruction of structures over state-owned submerged lands. Therefore, I hereby extend the provisions of Executive Order Fifty-Eight and Sixty-Six for one additional year and require that reconstruction activities authorized under Executive Order Fifty-Eight be initiated by December 31, 2005 and completed by June 30, 2006. Moreover, the requirement of Executive Order Fifty-Eight that the pre-existing structure must be previously authorized shall not apply to any structure constructed prior to 1910.

This Executive Order shall be retroactive to January 1, 2004 and shall remain in full force and effect until June 30, 2006, unless sooner amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia, this 13th day of June 2005.

/s/ Mark R. Warner
Governor

EXECUTIVE ORDER NUMBER 89 (2005)

**PURCHASE, ASSIGNMENT AND USE OF STATE-
OWNED VEHICLES**

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to §§ 2.2-120 and 2.2-121, and Chapter 11 of Title 2.2 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby establish policies and procedures for the purchase, assignment, use and maintenance of state-owned vehicles registered with the Department of Motor Vehicles, hereinafter referred to as "vehicles".

Preamble

The Commonwealth of Virginia today owns more than 8,000 passenger-type vehicles to assist State agencies and institutions in fulfilling their missions. Approximately half of these vehicles are leased to agencies through the centralized vehicle fleet; individual institutions and agencies own the remainder. Rules governing the appropriate use of centralized fleet vehicles are specified in the Code of Virginia and through rules promulgated by the Department of General Services.

The people of Virginia have a right to expect use of such vehicles to be strictly limited to the necessary performance of official business. Vehicles are not to be purchased by agencies or permanently assigned to agencies from the "centralized fleet" (as defined in Chapter 11 of Title 2.2 of the Code of Virginia) for reasons of convenience or perquisite. The purchase, assignment, use and maintenance of such vehicles are to be determined solely according to whether it will promote safety, efficiency and economy in state government.

Efficient vehicle utilization implies that use of a state-owned vehicle is less costly than personal reimbursement for mileage traveled in personal vehicles, or where the use of a vehicle is the only or most cost-efficient means to satisfy a business or operational need. Efficient operations also demand that inventory be properly recorded, that vehicles are replaced when it is no longer cost-effective to maintain them, and that vehicle maintenance, operations, and purchases are based on best business practices. The Joint Legislative Audit and Review Commission (2004) and the Auditor of Public Accounts (2004) have reviewed the Commonwealth's policies and practices and have recommended steps to improve oversight and management of the significant Commonwealth resource and investment in vehicles.

To eliminate unnecessary expense associated with excessive use of state-owned vehicles and to effectively manage these resources in accordance with best business practices, I hereby establish new policies and procedures governing the purchase, maintenance, assignment, and use of vehicles.

Specific Directives

1. The authority of the Director of the Department of General Services under § 2.2-1180 of the Code of Virginia to promulgate regulations governing the centralized fleet

shall extend to all vehicles owned by the Commonwealth. The Director of the Department of General Services shall develop a consistent, efficient, and cost-effective fleet management program for all vehicles owned by the Commonwealth that considers each agency and institution's needs and usage. Thus, all vehicles in the central fleet as well as those directly purchased and maintained by specific agencies and institutions shall be operated in accordance with policies and procedures that comply with the Code of Virginia, this Executive Order and DGS Rules and Regulations. The Department of General Services shall prepare and submit a report on the performance of the statewide fleet management program to the Governor and General Assembly by October 1, following the close of each fiscal year.

2. The head of each and every agency or institution of the Commonwealth shall limit authorization of commuting in vehicles to those employees whose job duties meet the requirements set forth in the Code of Virginia as well as policies and procedures established by direction of this Executive Order. The Director of the Department of General Services shall develop and publish uniform regulations for this purpose. Use of state-owned vehicles for commuting shall be authorized only when it is the most cost-effective or practical alternative, or as an employee's job duties affecting public health, safety and emergency response may require. For the purpose of this Executive Order and as used in § 2.2-1179 of the Code of Virginia, "commuting" shall mean driving between home and office where such driving is not connected to a departure for, or return from, a trip on official state business.

3. Notwithstanding the foregoing paragraph, no appointee serving at the pleasure of the Governor shall use a state-owned vehicle for commuting. Such appointees may use a state-owned vehicle for driving between home and office only when connected to a departure for, or return from, a trip on official state business. The limitation of this paragraph shall not apply to the Secretary of Public Safety, the Superintendent of State Police, nor to those appointees who, in the judgment of the Secretary of Public Safety, need access to state-owned vehicles for the purpose of responding to job-related emergencies from their residence.

4. The head of each and every agency or institution of the Commonwealth shall be directly responsible for ensuring compliance with this Executive Order and all applicable statutes and regulations governing the purchase, assignment, use and maintenance of state-owned vehicles, including the requirement that such vehicles be used strictly for official business. The Director of the Department of General Services shall develop policies and procedures providing criteria for agencies and institutions to apply when making a decision regarding the assignment of a state-vehicle from the centralized fleet or purchase of an agency vehicle. Agencies and institutions shall report annually to the Department of General Services on their use of assigned and owned vehicles in accordance with such criteria. This report requirement will cause agencies and institutions to evaluate annually, at a minimum, vehicle requirements to support their mission and otherwise meet the vehicle use criteria set forth in the Code of Virginia and

the Governor's financial and administrative management standards. Vehicles that no longer meet the criteria will be managed in accordance with established surplus property policies and procedures. Each agency and institutional head shall ensure that due consideration is given to the economy of reimbursing employees for mileage incurred by using personal vehicles in lieu of state-owned vehicles, and shall assist the Director of the Department of General Services in eliminating the use of state-owned vehicles where such use does not advance the goals of efficient and economical operation of state government.

5. The Commissioner of Motor Vehicles shall by October 1, 2005 assess the use of blind tags on state-owned vehicles, and shall restrict such use to law enforcement vehicles and to such other vehicles as he determines are regularly used in the course of official business, the effective performance of which makes blind tags essential. The Commissioner of Motor Vehicles, in consultation with the Department of General Services, shall develop policies and procedures for registration, transfer and disposal of state-owned vehicles.

This Executive Order rescinds Executive Order Number Twenty (2002), issued by Governor Mark R. Warner.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 12th day of July, 2005.

/s/ Mark R. Warner
Governor

GENERAL NOTICES/ERRATA

STATE CORPORATION COMMISSION

June 29, 2005

Administrative Letter 2005-13

TO: All Insurers Licensed to Write Title Insurance in Virginia

RE: Negotiating Title Insurance Risk Rates; Withdrawal of Administrative Letter 2004-07

NOTE: EACH INSURER RECEIVING THIS ADMINISTRATIVE LETTER IS INSTRUCTED TO PROVIDE A COPY TO EACH OF ITS CURRENTLY APPOINTED AGENTS AND TO EACH NEWLY APPOINTED AGENT COMMENCING IMMEDIATELY.

On July 1, 2005, the provisions of House Bill 2821 become effective. Under the new law, subsection E is added to § 38.2-4608 of the Code of Virginia which allows title insurers and title insurance agents to negotiate title insurance risk rates for competitive purposes.

The Bureau of Insurance (Bureau) has received numerous questions from the title insurance industry regarding the application of the changes brought about by House Bill 2821. In an effort to provide guidance to the title insurance industry, this administrative letter sets forth the Bureau's position regarding certain aspects of the new law. The following series of questions and answers address many of the industry's concerns:

1. On July 1, 2005, Virginia law will allow title insurance risk rates to be negotiated. What activity or activities constitute negotiation?

As a general rule, the Bureau would consider negotiation to have occurred when there is an offer and acceptance between the title insurer or title insurance agent and any potential insured that results in an agreement to charge the insured a title insurance risk rate that *differs* from the title insurer's published rate. For example, if, for competitive reasons, a title insurance agent offers a rate to a potential insured that is less than the title insurer's published rate and the potential insured accepts the proffered rate, the Bureau would consider the rate to have been negotiated.

It is important to note that while Chapter 46 of Title 38.2 of the Code of Virginia does not specifically require that rate schedules be published, as a practical matter, the business of title insurance cannot be conducted without published rates. Once a title insurer makes its rates available, the rates become "published" regardless of the method used to communicate the rates.

2. How much authority does the title insurance agent have to negotiate title insurance risk rates?

The agent's authority is established in the contract negotiated between the title insurer and its agent. The Bureau does not regulate these contracts.

3. Is it permissible for a title insurance agent to forego all or a portion of his/her title insurance commission in order to reduce the premium owed by the insured?

Yes. The agent's commission is included within the expense portion of title insurance risk rates. Prior to July 1, 2005, Virginia law did not permit agents to forego some or all of their commission for competitive purposes. The practice was considered illegal rebating.

4. Are title insurers or title insurance agents required to negotiate with any or all potential insureds?

No. Section 38.2-4608 E states that title insurers or title insurance agents *may* negotiate title insurance risk rates.

5. What circumstances would render a negotiated title insurance risk rate to be unfairly discriminatory?

As long as the title insurance risk rate has been negotiated as set forth above, it is deemed not to be unfairly discriminatory.

6. Do the standards of "reasonable and adequate" contained in § 38.2-4608 A apply to individually negotiated rates?

No. The standards of "reasonable and adequate" apply to the classes of risks. In other words, the statute does not provide for application of the "reasonable and adequate" standards to the rate that is charged for an individual risk.

It is important to note that although the new law does not contain provisions that establish the lowest rate that an insurer or agent may negotiate, the title insurer is ultimately responsible for maintaining overall rate levels for classes of risks sufficient to satisfy the standards of "reasonable and adequate" as set forth in § 38.2-4608 A.

For the purposes of determining compliance with the standards of "reasonable and adequate" for classes of risks, title insurance risk rates are considered to be reasonable and adequate if they provide for the expected costs of claims, claim expenses, operating expenses and all other reasonable and necessary costs, but do not produce unreasonable profits.

Please note that Administrative Letter 2004-07 is hereby withdrawn. Questions pertaining to Administrative Letter 2005-13 should be directed to: Rebecca Nichols, CPCU, CIC, CIE, Principal Insurance Market Examiner, Property and Casualty Division, Personal Lines Rates & Forms Section, (804) 371-9965, rebecca.nichols@scc.virginia.gov.

/s/ Alfred W. Gross
Commissioner of Insurance

DEPARTMENT OF ENVIRONMENTAL QUALITY

Total Maximum Daily Loads (TMDL) for Jackson River Watershed

Public meeting: Alleghany County Governmental Complex – Board of Supervisors Room, 9212 Winterberry Avenue located near Low Moor, VA, on Tuesday August 30, 2005, from 3 p.m. to 5 p.m.

General Notices/Errata

Directions: From I-64 heading west, take exit 21 (Route 696). Take a right of the exit onto 696, then an immediate right onto Winterberry Avenue (Route 1101). The Alleghany County Governmental Complex is located approximately 1/2 mile on the left side of the road.

Purpose of notice: The Virginia Department of Environmental Quality announces a public meeting to discuss a study to restore water quality in the Jackson River watershed.

Description of study: Virginia agencies are working to identify sources of pollution causing low dissolved oxygen levels and biological impairment (general standard) in the Jackson River watershed. Dissolved oxygen levels periodically fall below the minimum water quality standard, which decreases the suitability of the water to support aquatic life. The general standard indicates the water quality is unable to support a natural aquatic community.

The following is a list of the "impaired" waters, the length of the impaired segment, their location and the reason for the impairment: Jackson River (I04R-11.21 miles), Alleghany, Botetourt, Covington, dissolved oxygen; Jackson River (I04R-24.21 miles), Alleghany, Botetourt, Covington, benthic.

During the study, the state agencies will develop a total maximum daily load, or a TMDL, for the impaired waters. A TMDL is the total amount of a pollutant a water body can contain and still meet water quality standards. To restore water quality, contamination levels have to be reduced to the TMDL amount.

How to comment: DEQ accepts written comments by e-mail, fax or postal mail. Written comments should include the name, address and telephone number of the person commenting and be received by September 30, 2005. DEQ also accepts written and oral comments at the public meeting announced in this notice.

Contact for additional information: Jason R. Hill, Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, or e-mail jrhill@deq.virginia.gov.

OFFICE OF THE GOVERNOR

Strategic Plan Public Hearings

Governor Warner's Executive Order 69 established the Secure Commonwealth Initiative. In support of this Initiative, the Secure Commonwealth Panel was created to implement statewide prevention, response, and recovery initiatives. The Panel is mandated to deliver to the Governor in September a comprehensive strategic plan that outlines the Commonwealth's ongoing statewide efforts and recommendations for future activities in terms of preparedness for emergencies and disasters of all kinds including terrorism. In an effort to get the maximum amount of feedback from our partners across the state, the Governor's Office of Commonwealth Preparedness and the Secure Commonwealth Panel will be providing a forum in six regions

throughout the month of August. These regional hearings will provide emergency responders, elected officials and business and community leaders the opportunity to voice their concerns and questions regarding the Secure Commonwealth Initiative.

Regional hearings will be held on the following dates:

Tuesday, August 2 - Richmond
Thursday, August 4 - Culpeper
Monday, August 8 - Fairfax
Wednesday, August 10 - Christiansburg
Thursday, August 11 - Lynchburg
Tuesday, August 16 - Hampton Roads

To better fit everyone's schedule, there will be two sessions at each regional meeting: one during the afternoon -- 1 to 5 p.m. and the second during the evening -- 6:30 to 10 p.m. to provide maximum flexibility for career and volunteer officials and citizens to participate.

If you would like to attend a session:

1. Email Wendy Hoffman at wendy.hoffman@governor.virginia.gov and provide your name, organization, phone number, email address, and the date and time of the session you want to attend.
2. The draft Strategic Plan will be emailed to you for review prior to the hearing shortly after you register with Wendy.
3. Once you register, you will be provided the exact location of the hearing and a copy of the Strategic Plan.

Contact: Wendy Hoffman, Special Assistant, Office of the Governor, Patrick Henry Building, 1111 East Broad Street, Richmond, VA 23219, telephone (804) 692-2595, e-mail wendy.hoffman@governor.virginia.gov.

DEPARTMENT OF HEALTH

State WIC Plan

The Virginia Department of Health (VDH) invites the public to comment on the development of a plan to administer the Special Supplemental Nutrition Program for Women, Infants and Children (the WIC program) in Virginia.

Pursuant to 7 CFR 246.4, the responsible agency in each state that administers a WIC program must submit annually to the United States Department of Agriculture a State Agency Plan for each fiscal year as a prerequisite to receiving federal funds. The Virginia Department of Health (VDH) administers the Virginia WIC Program and must submit such a plan by August 15, 2005.

The development of the Virginia State Agency Plan is underway and the public is invited to comment on its development and to view the plan during regular workdays from 8:30 a.m. until 4:30 p.m. in the offices of VDH, Division of WIC and Community Nutrition Services, 109 Governor Street, 9th Floor, Richmond, Virginia 23219.

Questions regarding development and implementation of the Plan may be directed to Aaron D. Baack, Operations Manager, Virginia Department of Health, Division of WIC and

Community Nutrition Services, 109 Governor Street, 9th Floor, Richmond, VA 23219, aaron.baack@vdh.virginia.gov or telephone (804) 864-7800.

STATE WATER CONTROL BOARD

Proposed Consent Special Order for Commercial Carrier Corporation

Citizens may comment on a proposed consent order for a facility in West Point, Virginia.

Public comment period: August 8, 2005, to September 9, 2005.

Purpose of notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the business owner and entered into by mutual agreement.

Project description: The State Water Control Board proposes to issue a consent order to Commercial Carrier Corporation to address violations of §§ 62.1-44.34:18 and 62.1-44.34:19 of Article 11 of the State Water Control Law. The location of the facility where the violation occurred is 7450 Ready Mix Drive, West Point, Virginia. The consent order describes a settlement to resolve an accidental release of petroleum while filling the underground storage tanks at the facility on February 18, 2004, and the facility's failure to report the release. The order requires payment of a civil charge.

How a decision is made: After public comments have been considered, the State Water Control Board will make a final decision.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To review the consent order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Scott Kennedy, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5014, FAX (804) 527-5106, or e-mail skennedy@deq.virginia.gov.

Proposed Consent Special Order for Noor Oil

The State Water Control Board proposes to enter into a consent special order with Noor Oil, Inc. (Noor Oil). The parties have agreed to the terms of a consent special order for settlement of violations of State Water Control Law at an underground storage tank (UST) facility.

Noor Oil owns a UST facility located at 713 Tinkling Springs Road in Fishersville, Virginia, and stores petroleum in these USTs under the requirements of the state underground storage tank regulation. Based on an inspection of the facility and review of submitted documentation, DEQ found Noor Oil to be in violation of the regulation. While the facility has been brought into compliance with the regulation, the proposed order will assess a civil charge against Noor Oil in settlement of the past violations and will require the submission of future release detection records.

The board will receive written comments relating to the proposed order for 30 days from the date of publication of this notice. Comments should be addressed to David C. Robinett, Department of Environmental Quality, P.O. Box 3000, Harrisonburg, VA 22801, and should refer to the order. The proposed order may be examined at the Department of Environmental Quality, Valley Regional Office, 4411 Early Road, Harrisonburg, Virginia. A copy of the order may be obtained in person or by mail from the DEQ office.

Comments may also be submitted via electronic mail to dcrbinett@deq.virginia.gov. In order to be considered, electronic comments must be received prior to the close of the comment period and must include the name, address and telephone number of the person making the comment.

Proposed Consent Order for Prince George County, Virginia

Citizens may comment on a proposed consent order for Prince George County, Virginia.

Public comment period: August 8, 2005, to September 7, 2005.

Purpose of notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Project description: The State Water Control Board proposes to issue a consent order to Prince George County to address alleged violations of the Ground Water Management Act of 1992 and State Water Control Board Regulations for withdrawing ground water from the Food Lion Water System without obtaining a permit. The location of the facility where the violation occurred is at the juncture of State Route 156 and 630 in Prince George County. The consent order describes the settlement that resolved the alleged violations and requires the payment of a civil charge.

How a decision is made: After public comments have been considered, the State Water Control Board will make a final decision.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

General Notices/Errata

To review the consent order: The public may review the proposed consent order at the DEQ Piedmont Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Cynthia Akers, Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, VA 23060, telephone (804) 527-5079, FAX (804) 527-5106, or e-mail ecakers@deq.virginia.gov.

Proposed Consent Special Order for Raphine Environmental Improvement Company, L.L.C.

Citizens may comment on a proposed consent order for a facility in Raphine, Virginia.

Public comment period: August 8, 2005, to September 7, 2005.

Purpose of notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Consent order description: The State Water Control Board proposes to issue a consent order to Raphine Environmental Improvement Company, L.L.C., to address alleged violations of the December 9, 2003, consent order, the discharge permit, and Virginia's laws and regulations. The location of the facility where the alleged violations occurred is at the company's sewage treatment plant (STP) in Raphine. The consent order describes a settlement to resolve the failure to submit complete documents needed to reissue the discharge permit, permit effluent limitation violations, violations of the 2003 consent order and the unpermitted discharges following the expiration of the permit. It requires the company to connect to Rockbridge County's collection system as soon as available, close out the facility and pay a civil charge.

How a decision is made: After public comments have been considered, the State Water Control Board will make a final decision.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To review the consent order: The public may review the proposed consent order at the DEQ Valley Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Steven W. Hetrick, Valley Regional Office, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, VA 22801-9519, telephone (540) 574-7833, FAX (540) 574-7844, or e-mail swhetrick@deq.virginia.gov.

Proposed Consent Special Order for the Town of Woodstock

Citizens may comment on a proposed consent order for a facility in the Town of Woodstock, Virginia.

Public comment period: August 8, 2005, to September 7, 2005.

Purpose of notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It is developed cooperatively with the facility and entered into by mutual agreement.

Consent order description: The State Water Control Board proposes to issue a consent order to the Town of Woodstock to address alleged violations of the Town of Woodstock discharge permit. The location of the facility where the alleged violation occurred is at the town's sewage treatment plant (STP). The consent order describes a settlement to resolve the discharge of solids to the river and exceedances of the STP's design capacity. It requires the upgrade and expansion of the sewage treatment plant and an evaluation of the collection system.

How a decision is made: After public comments have been considered, the State Water Control Board will make a final decision.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To review the consent order: The public may review the proposed consent order at the DEQ Valley Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests and additional information: Steven W. Hetrick, Valley Regional Office, Department of Environmental Quality, Post Office Box 3000, Harrisonburg, VA 22802, telephone (540) 574-7833, FAX (540) 574-7844, or e-mail swhetrick@deq.virginia.gov.

Proposed Consent Special Order for Two Greens/Kirkpatrick L.L.C.

Citizens may comment on a proposed consent order for a facility in Loudoun County, Virginia.

Public comment period: August 8, 2005, to September 7, 2005.

Purpose of notice: To invite the public to comment on a proposed consent order.

A consent order is issued to a business owner or other responsible party to perform specific actions that will bring the entity into compliance with the relevant law and regulations. It

is developed cooperatively with the facility and entered into by mutual agreement.

Consent order description: The State Water Control Board proposes to issue a consent order to Two Greens/Kirkpatrick L.L.C. to address alleged violations of a Virginia Water Protection Permit. The location of the facility where the alleged violation occurred is Loudoun County, Virginia. The consent order describes a settlement to resolve the alleged failure of Two Greens/Kirkpatrick L.L.C. to begin the construction of mitigation measures for wetlands and stream impacts at the Kirkpatrick Farms residential development. It requires Two Greens/Kirkpatrick L.L.C. to complete additional mitigation measures and pay a civil penalty of \$4,000.

How a decision is made: After public comments have been considered, the State Water Control Board will make a final decision.

How to comment: DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period.

To review the consent order: The public may review the proposed consent order at the DEQ Northern Virginia Regional Office every work day by appointment or on the DEQ website at www.deq.virginia.gov.

Contact for public comments, document requests, and additional information: Jack Welsch, Department of Environmental Quality, Northern Virginia Regional Office, 13901 Crown Court, Woodbridge, VA 22193, telephone (703) 583-3854, FAX (703) 583-3871, or e-mail jwelsch@deq.virginia.gov.

VIRGINIA CODE COMMISSION

Notice to State Agencies

Mailing Address: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, FAX (804) 692-0625.

Forms for Filing Material for Publication in the Virginia Register of Regulations

All agencies are required to use the appropriate forms when furnishing material for publication in the Virginia Register of Regulations. The forms may be obtained from: Virginia Code Commission, 910 Capitol Street, General Assembly Building, 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

Internet: Forms and other Virginia Register resources may be printed or downloaded from the Virginia Register web page: <http://register.state.va.us>.

FORMS:

NOTICE of INTENDED REGULATORY ACTION-RR01
NOTICE of COMMENT PERIOD-RR02
PROPOSED (Transmittal Sheet)-RR03
FINAL (Transmittal Sheet)-RR04

EMERGENCY (Transmittal Sheet)-RR05
NOTICE of MEETING-RR06
AGENCY RESPONSE TO LEGISLATIVE OBJECTIONS-RR08
RESPONSE TO PETITION FOR RULEMAKING-RR13
FAST-TRACK RULEMAKING ACTION-RR14

ERRATA

STATE AIR POLLUTION CONTROL BOARD

Title of Regulation: 9 VAC 5-80. Permits for Stationary Sources.

Publication: 21:22 VA.R. 3003-3083 July 11, 2005.

Corrections to Proposed Regulation:

Page 3012, column 2, 9 VAC 5-80-1110 C, definition of "Actual emissions," subdivision 1, second sentence should read: "The board ~~shall~~ will allow the use of a different time period upon a determination that it is more representative of normal source operation."

Page 3020, column 2, 9 VAC 5-80-1615 C, definition of "Baseline actual emissions," after subdivision c insert:

d. For a PAL for a stationary source, the baseline actual emissions shall be calculated for existing electric utility steam generating units in accordance with the procedures contained in subdivision a of this definition, for other existing emissions units in accordance with the procedures contained in subdivision b of this definition, and for a new emissions unit in accordance with the procedures contained in subdivision c of this subsection.

Page 3027, column 1, 9 VAC 5-80-1615 C, definition of "Plantwide applicability limitation (PAL)," after "for a pollutant at a major stationary source" insert a comma

Page 3030, second column, 9 VAC 5-80-1635, under "Class I, Sulfur dioxide," change "twenty-four" to "24," under "Class II, Sulfur dioxide," change "twenty-four" to "24," under "Class II, Nitrogen dioxide," delete the first instance of "25" after "Annual arithmetic mean," under "Class III, Sulfur dioxide," change "twenty-four" to "24". Under "Class II, Nitrogen dioxide," delete the first instance of "50" after "Annual arithmetic mean."

Page 3035, column 1, 9 VAC 5-80-1765 F, Maximum Allowable Increase table, under "sulfur dioxide," change "twenty-four" to "24."

Page 3041, column 2, 9 VAC 5-80-1845 B 3, next to last sentence, insert a close parenthesis at the end of "(unless the unit re-qualifies as a Clean Unit pursuant to subdivision C 4 of this section."

Page 3066, column 1, 9 VAC 5-80-2060 A, first sentence should read: "Within 30 days after receipt of an application, the board ~~shall~~ will notify the applicant of the status of the application." 9 VAC 5-80-2060 C, second sentence should read: "The board ~~shall~~ will notify the applicant in writing of its decision on the application, including its reasons, and shall also specify the applicable emission limitations."

General Notices/Errata

Page 3071, column 1, 9 VAC 5-80-2141 D 2, change "resignation" to "designation."

Page 3071, column 2, 9 VAC 5-80-2141 F 6, delete the extra space before the apostrophe in "owner's."

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

Title of Regulation: **18 VAC 155-20. Board for Waste Management Facility Operators.**

Publication: 21:21 VA.R. 2868-2883 June 27, 2005.

Correction to Table of Contents and Proposed Regulation:

Page 2769, column 2, change sections being amended to "18 VAC 155-20-10, 18 VAC 155-20-110, 18 VAC 155-20-120, 18 VAC 155-20-160, 18 VAC 155-20-220 and 18 VAC 155-20-280."

Page 2868, Title of Regulation, change sections being amended to "18 VAC 155-20-10, 18 VAC 155-20-110, 18 VAC 155-20-120, 18 VAC 155-20-160, 18 VAC 155-20-220 and 18 VAC 155-20-280."

CALENDAR OF EVENTS

Symbol Key

- † Indicates entries since last publication of the *Virginia Register*
♿ Location accessible to persons with disabilities
☎ Teletype (TTY)/Voice Designation

NOTICE

Only those meetings which are filed with the Registrar of Regulations by the filing deadline noted at the beginning of this publication are listed. Since some meetings are called on short notice, please be aware that this listing of meetings may be incomplete. Also, all meetings are subject to cancellation and the *Virginia Register* deadline may preclude a notice of such cancellation. If you are unable to find a meeting notice for an organization in which you are interested, please check the Commonwealth Calendar at www.vipnet.org or contact the organization directly.

For additional information on open meetings and public hearings held by the standing committees of the legislature during the interim, please call Legislative Information at (804) 698-1500 or Senate Information and Constituent Services at (804) 698-7410 or (804) 698-7419/TTY☎, or visit the General Assembly web site's Legislative Information System (<http://leg1.state.va.us/lis.htm>) and select "Meetings."

VIRGINIA CODE COMMISSION

EXECUTIVE

BOARD OF ACCOUNTANCY

August 12, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Suite 378, Richmond, Virginia.♿

An informal fact-finding conference.

Contact: Jean Grant, Enforcement Coordinator/Investigator,
Board of Accountancy, 3600 W. Broad St., Suite 378,
Richmond, VA 23230-4923, telephone (804) 367-0725, FAX
(804) 367-2174, (804) 367-9753/TTY ☎, e-mail
jean.grant@boa.virginia.gov.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Virginia Agricultural Council

August 29, 2005 - 8 a.m. -- Open Meeting
August 30, 2005 - 8 a.m. -- Open Meeting
Comfort Suites, 80 Prosperity Avenue, Leesburg, Virginia.♿

Annual meeting when the council will (i) review grant projects as to progress and results; (ii) review the financial status of the council for the current fiscal year and plans for the coming year; and (iii) visit project sites approved by council action in Loudoun, Clarke, and Frederick counties. The council will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Donald Ayers at least five days before the meeting date so that suitable arrangements can be made.

Contact: Donald Ayers, Executive Director, Virginia Agriculture Council, P.O. Box 1163, Richmond, VA 23218, telephone (804) 786-0480, FAX (804) 371-8372, toll-free (800) 828-1120, (800) 828-1120/TTY ☎, e-mail donald.ayers@vdacs.virginia.gov.

Virginia State Apple Board

† **August 15, 2005 - 9:30 a.m.** -- Open Meeting
Rowe's Restaurant, 74 Rowe Road (Intersection of Route 250 and I-81), Staunton, Virginia.♿

A meeting to (i) approve the minutes of the last meeting held January 27, 2005; (ii) review the financial statement; and (iii) discuss old business arising from the last meeting and any new business to come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made.

Contact: Dave Robishaw, Secretary, Department of Agriculture and Consumer Services, 900 Natural Resources Drive, Suite 300, Charlottesville, VA 22903, telephone (434) 984-0573, FAX (434) 984-4156, e-mail david.robishaw@vdacs.virginia.gov.

Virginia Egg Board


† **August 19, 2005 - 10:30 a.m.** -- Open Meeting
Hotel Roanoke and Conference Center, 110 Shenandoah Avenue, Roanoke, Virginia.♿ (Interpreter for the deaf provided upon request)

A meeting to (i) review the financial statements of the Virginia Egg Council's promotional, educational and research activities; (ii) review the programs for FY 2004-2005; and (iii) review the plans for educational promotional and advertising plans for FY 2005-2006. Public comment will be held at noon.

Contact: Cecilia Glembocki, Executive Director, Department of Agriculture and Consumer Services, 911 Saddleback Court, McLean, VA 22102, telephone (703) 790-1984, FAX (703) 992-7741, e-mail virginiaegg@cox.net.

Calendar of Events


Virginia Irish Potato Board

† **August 30, 2005 - 7 p.m.** -- Open Meeting
Aberdeen Barn Restaurant, Northampton Boulevard, Virginia Beach, Virginia. 

A meeting to (i) discuss promotion, research, and education programs; (ii) review and approve minutes of the previous meeting; (iii) review and discuss the annual budget and preliminary results of programs funded by the board; and (iv) discuss other business that may come before the board. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Butch Nottingham at least five days before the meeting date so that suitable arrangements can be made.

Contact: Butch Nottingham, Program Manager, Department of Agriculture and Consumer Services, P.O. Box 26, Onley, VA 23418, telephone (757) 787-5867, FAX (757) 787-5973, e-mail jnottingham@vdacs.state.va.us.

Virginia Soybean Board

August 23, 2005 - 3 p.m. -- Open Meeting
Corbin Hall Farm, 2936 Corbin Hall Drive, Waterview, Virginia. 

A meeting to discuss checkoff revenues and the financial status of the board following the end of the fiscal year ending June 30, 2005, and hear and approve the minutes of the March 10, 2005, meeting. Reports will also be heard from the chairman, United Soybean Board representatives, and other committees. The board will entertain public comment at the conclusion of all other business for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact the person identified in this notice at least five days before the meeting date so that suitable arrangements can be made for any appropriate accommodation.

Contact: Philip T. Hickman, Program Director, Department of Agriculture and Consumer Services, 1100 Bank St., Room 906, Richmond, VA 23219, telephone (804) 371-6157, FAX (804) 371-7786, e-mail phil.hickman@vdacs.virginia.gov.


SECRETARY OF AGRICULTURE AND FORESTRY

August 8, 2005 - 9:30 a.m. -- Open Meeting
August 9, 2005 - 9:30 a.m. -- Open Meeting
Virginia Farm Bureau Federation, 12580 West Creek Parkway, Richmond, Virginia. 

A meeting on the Biodiesel Work Group (HJR 598) on the use and production of biodiesel fuel in the Commonwealth. Invitees will present an overview and discuss various aspects of the use and production of biodiesel in Virginia. The Biodiesel Work Group will entertain public comment at the conclusion of all other business on August 9, 2005, for a period not to exceed 30 minutes. Any person who needs any accommodation in order to participate at the meeting should contact Perida Giles at least five days before the

meeting date so that suitable arrangements can be made for any appropriate accommodation


Contact: Perida Giles, Senior Policy Analyst, Department of Agriculture and Consumer Services, 1100 Bank St., Suite 211, Richmond, VA 23219, telephone (804) 786-5175, FAX (804) 371-2945, e-mail perida.giles@vdacs.virginia.gov.

† **August 24, 2005 - 1 p.m.** -- Open Meeting
† **August 31, 2005 - 1 p.m.** -- Open Meeting
Patrick Henry Building, 1111 East Broad Street, House Room 1, Richmond, Virginia. 

A meeting of the Work Group Studying Off-Farm and On-Farm Sales of Food Products. The meeting will be a listening session on off-farm and on-farm sales of food products grown and/or processed on individual farms. The public is welcome to come and listen to presentations by parties who have been invited to present their views on this issue. Other parties wishing to comment on this issue should submit written comments no later than August 31, 2005, to the contact person named below.


Contact: Donald Blankenship, Deputy Commissioner, Secretariat of Agriculture and Forestry, Washington Bldg., 1100 Bank St., Suite 211, Richmond, VA 23219, telephone (804) 786-3501, FAX (804) 371-2945, e-mail donald.blankenship@vdacs.virginia.gov.

STATE AIR POLLUTION CONTROL BOARD

August 10, 2005 - 1:30 p.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. 

A public meeting to receive comment on a notice of intent to amend the regulations for the control and abatement of air pollution for the clean air mercury rule. The notice of intent appears in the Virginia Register of Regulations on July 11, 2005. The comment period begins on July 11, 2005, and ends on August 10, 2005.


Contact: Mary E. Major, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, e-mail memajor@deq.virginia.gov.

August 10, 2005 - 1:30 p.m. -- Open Meeting
Department of Environmental Quality, 629 East Main Street, Richmond, Virginia. 

A public meeting to receive comments on the notice of intent to amend 9 VAC 5-140, Regulation for Emissions Trading (Rev. E05), the regulations for the control and abatement of air pollution concerning the clean air interstate rule (Rev. E05). The notice of intent appears in the Virginia Register of Regulations on July 11, 2005. The comment period begins on July 11, 2005, and closes on August 10, 2005.

Contact: Mary E. Major, State Air Pollution Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4423, FAX (804) 698-4510, e-mail memajor@deq.virginia.gov.

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August 17, 2005 - 4 p.m. -- Public Hearing
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

September 12, 2005 - Public comments may be received until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Air Pollution Control Board intends to amend regulations entitled **9 VAC 5-50, New and Modified Stationary Sources and 9 VAC 5-80, Permits for Stationary Sources (Rev E05)**. The purpose of the proposed action is to consider amending the regulations that govern permitting for new major stationary sources and major modifications in order to meet the new source reform requirements of 40 CFR Part 51. Public comments may be submitted until 5 p.m. on September 12, 2005.

Statutory Authority: § 10.1-1308 of the Code of Virginia.

Contact: Karen G. Sabasteanski, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4426, FAX (804) 698-4510, e-mail kgsabastea@deq.virginia.gov.

† **August 23, 2005 - 7 p.m.** -- Public Hearing
Appalachian School of Law, Trial Courtroom, Grundy, Virginia. 

A public hearing to receive comments on a permit amendment for Buchanan Mining Complex in the Garden Creek area of Buchanan County. The facility is a coal preparation plant with a thermal dryer. The proposed modification concerns the construction and modification of various coal handling, processing and storage equipment and does not affect the thermal dryer. The comment period began on July 21, 2005, and ends on August 19, 2005. There will be an informational briefing 1/2 hour before the public hearing.

Contact: Bruce Mullins, Department of Environmental Quality, 355 Deadmore St., Abingdon, VA 24212, telephone (276) 676-4825, FAX (276) 676-4899, e-mail abmullins@deq.virginia.gov.

Small Business Environmental Compliance Advisory Board

September 28, 2005 - 10 a.m. -- Open Meeting
Location to be announced.

A regular meeting. A location has not been determined and the time is tentative.


Contact: Richard Rasmussen, State Air Pollution Control Board, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4394, FAX (804) 698-4264, e-mail rgrasmussen@deq.virginia.gov.

ALCOHOLIC BEVERAGE CONTROL BOARD


August 15, 2005 - 9 a.m. -- Open Meeting
August 29, 2005 - 9 a.m. -- Open Meeting
September 12, 2005 - 9 a.m. -- Open Meeting
September 26, 2005 - 9 a.m. -- Open Meeting

October 11, 2005 - 9 a.m. -- Open Meeting
October 24, 2005 - 9 a.m. -- Open Meeting
† **November 7, 2005 - 9 a.m.** -- Open Meeting
Department of Alcoholic Beverage Control, 2901 Hermitage Road, Richmond, Virginia. 


An Executive Staff meeting to receive and discuss reports and activities from staff members and to discuss other matters not yet determined.

Contact: W. Curtis Coleburn, III, Secretary to the Board, Department of Alcoholic Beverage Control, 2901 Hermitage Rd., Richmond, VA 23220, telephone (804) 213-4409, FAX (804) 213-4411, (804) 213-4687/TTY , e-mail curtis.coleburn@abc.virginia.gov.


ALZHEIMER'S DISEASE AND RELATED DISORDERS COMMISSION

September 20, 2005 - 10 a.m. -- Open Meeting
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting.


Contact: Cecily Slasor, I and R Specialist, Alzheimer's Disease and Related Disorders Commission, 1610 Forest Ave., Ste. 100, Richmond, VA 23229, telephone (804) 662-9338, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY , e-mail cecily.slasor@vda.virginia.gov.

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS

August 9, 2005 - 9 a.m. -- Open Meeting
† **November 8, 2005 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting of the Land Surveyors Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail apelscidla@dpor.virginia.gov.

August 11, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

Calendar of Events

A meeting of the Interior Designers Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelscidla@dpor.virginia.gov.

September 8, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the full board to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelscidla@dpor.virginia.gov.

† October 26, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Architects Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelscidla@dpor.virginia.gov.

† October 31, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Professional Engineers Section to conduct board business. The meeting is open to the public;

however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelscidla@dpor.virginia.gov.

† November 3, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

A meeting of the Landscape Architects Section to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpreter services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail apelscidla@dpor.virginia.gov.


ART AND ARCHITECTURAL REVIEW BOARD

September 9, 2005 - 10 a.m. -- Open Meeting
October 7, 2005 - 10 a.m. -- Open Meeting
† November 4, 2005 - 10 a.m. -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street,
Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)


A monthly meeting to review projects submitted by state agencies. Art and Architectural Review Board submittal forms and submittal instructions can be downloaded by visiting the DGS Forms Center at www.dgs.state.va.us. Request form #DGS-30-905 or submittal instructions #DGS-30-906. The deadline for submitting project datasheets and other required information is two weeks prior to the meeting date.

Contact: Richard L. Ford, AIA Chairman, Art and Architectural Review Board, 101 Shockoe Slip, 3rd Floor, Richmond, VA 23219, telephone (804) 648-5040, FAX (804) 225-0329, (804) 786-6152/TTY ☎, or e-mail rford@comarchs.com.

VIRGINIA BOARD FOR ASBESTOS, LEAD, AND HOME INSPECTORS

August 17, 2005 - 9 a.m. -- Open Meeting
† **November 2, 2005 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: David E. Dick, Executive Director, Virginia Board for Asbestos, Lead, and Home Inspectors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail alhi@dpor.virginia.gov.

COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES


State Executive Council

September 14, 2005 - 9 a.m. -- Open Meeting
Location to be announced.


A regular meeting. The meeting will adjourn by noon.

Contact: Kim McGaughey, Executive Director, Comprehensive Services for At-Risk Youth and Families, 1604 Santa Rosa Rd., Richmond, VA 23229, telephone (804) 662-9830, FAX (804) 662-9831.

AUCTIONEERS BOARD

October 6, 2005 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 


A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Marian H. Brooks, Regulatory Board Administrator, Auctioneers Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail auctioneers@dpor.virginia.gov.


BOARD OF AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY

August 18, 2005 - 9:30 a.m. -- CANCELED
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. 

A meeting to discuss issues and matters related to audiology and speech-language pathology has been canceled.

Contact: Elizabeth Young, Executive Director, Board of Audiology and Speech-Language Pathology, Alcoa Building, 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail elizabeth.young@dhp.virginia.gov.


VIRGINIA AVIATION BOARD

August 17, 2005 - 9 a.m. -- Open Meeting
Ramada Plaza Resort Oceanfront, 5700 Atlantic Avenue,
Virginia Beach, Virginia. 


The 2005 Virginia Aviation Conference will be held August 17-19, 2005. Applications for state funding will be presented to the board and other matters of interest to the Virginia aviation community. Individuals with disabilities should contact Carolyn Toth 10 days prior to the meeting if assistance is needed.


Contact: Carolyn Toth, Executive Assistant, Department of Aviation, 5702 Gulfstream Rd., Richmond, VA 23250, telephone (804) 236-3626, FAX (804) 236-3635, e-mail carolyn.toth@doav.virginia.gov.

BOARD FOR BARBERS AND COSMETOLOGY

August 15, 2005 - 9 a.m. -- Open Meeting
† **October 31, 2005 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, 4th Floor, Conference Room 4W,
Richmond, Virginia. 

A meeting to conduct general business and consider regulatory issues as may be presented. A portion of the meeting may be held in closed session. A public comment period will be held at the beginning of the meeting. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail barbercosmo@dpor.virginia.gov.

August 15, 2005 - 1 p.m. -- Public Hearing
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

August 26, 2005 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Barbers and Cosmetology intends to adopt regulations entitled **18 VAC 41-30, Hair Braiding Regulations**. The purpose of the proposed regulations is to promulgate regulations governing

Calendar of Events


the licensure and practice of hair braiding as mandated by Chapter 600 of the 2003 Acts of Assembly.

Statutory Authority: § 54.1-201 and Chapter 7 (§ 54.1-700 et seq.) of Title 54.1 of the Code of Virginia.

Contact: William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8590, FAX (804) 367-6295 or e-mail william.ferguson@dpor.virginia.gov.


September 8, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.


Contact: William H. Ferguson, II, Executive Director, Board for Barbers and Cosmetology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8575, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail barbercosmo@dpor.virginia.gov.

DEPARTMENT FOR THE BLIND AND VISION IMPAIRED


Statewide Rehabilitation Council for the Blind

September 17, 2005 - 10 a.m. -- Open Meeting
Department for the Blind and Vision Impaired, 397 Azalea Avenue, Rooms 1 and 2, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A quarterly meeting to advise the Department for the Blind and Vision Impaired on matters related to vocational rehabilitation services for the blind and visually impaired citizens of the Commonwealth.

Contact: Susan D. Payne, Vocational Rehabilitation Program Director, Department for the Blind and Vision Impaired, 397 Azalea Ave., Richmond, VA 23227, telephone (804) 371-3184, FAX (804) 371-3390, toll-free (800) 622-2155, (804) 371-3140/TTY , e-mail susan.payne@dbvi.virginia.gov.

BOARD FOR BRANCH PILOTS

† November 1, 2005 - 10 a.m. -- Open Meeting
Virginia Port Authority, 600 World Trade Center Norfolk, Virginia. 


A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at 804-367-8514 at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for Branch Pilots, 3600 W. Broad St. Richmond, VA 23230,

telephone (804) 367-8514, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail branchpilots@dpor.virginia.gov.

DEPARTMENT OF BUSINESS ASSISTANCE


Small Business Advisory Board

† September 19, 2005 - 10 a.m. -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor Board Room, Richmond, Virginia. 


A regular meeting.


Contact: Vernita Boone, Administrative Assistant, Department of Business Assistance, 707 E. Main St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-8230, FAX (804) 371-2142, toll-free (866) 248-8814, e-mail vernita.boone@dba.virginia.gov.

CEMETERY BOARD


† August 11, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. 

An informal fact-finding conference.


Contact: Christine Martine, Executive Director, Cemetery Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY , e-mail cemetery@dpor.virginia.gov.

October 19, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4 West Conference Room, Richmond, Virginia. 

A meeting to discuss board business.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY , e-mail oneal@dpor.virginia.gov.

CHARITABLE GAMING BOARD

September 13, 2005 - 10 a.m. -- Open Meeting
Science Museum of Virginia, 2500 West Broad Street, Discovery Room, Richmond, Virginia. 

A regular quarterly meeting.

Contact: Clyde E. Cristman, Director, Department of Charitable Gaming, James Monroe Bldg., 101 N. 14th St., 17th Floor, Richmond, VA 23219, telephone (804) 786-1681, FAX (804) 786-1079, e-mail clyde.cristman@dpg.virginia.gov.

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD

August 9, 2005 - 10 a.m. -- Open Meeting

October 25, 2005 - 10 a.m. -- Open Meeting

Department of Conservation and Recreation, James Monroe Building, 101 North 14th Street, 17th Floor Conference Room, Richmond, Virginia.

The Northern Area Review Committee will conduct general business, including review of local Chesapeake Bay Preservation Area programs for the northern area.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

August 9, 2005 - 2 p.m. -- Open Meeting

October 25, 2005 - 2 p.m. -- Open Meeting

Department of Conservation and Recreation, James Monroe Building, 101 North 14th St., 17th Floor Conference Room, Richmond, Virginia.

The Southern Area Review Committee will conduct general business, including review of local Chesapeake Bay Preservation Area programs for the southern area.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

September 19, 2005 - 10 a.m. -- Open Meeting

Location to be announced.

A regular business meeting and review of local programs.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

CHILD DAY-CARE COUNCIL

September 8, 2005 - 10 a.m. -- Open Meeting

Department of Social Services, 7 North 8th Street, 6th Floor Conference Room, Richmond, Virginia. ♿

A regular business meeting.

Contact: Pat Rengnerth, State Board Liaison, Department of Social Services, Office of Legislative and Regulatory Affairs, 7 N. 8th St., Room 5214, Richmond, VA 23219, telephone (804) 726-7905, FAX (804) 726-7906, (800) 828-1120/TTY ♿, e-mail patricia.rengnerth@dss.virginia.gov.

STATE CHILD FATALITY REVIEW TEAM

September 9, 2005 - 10 a.m. -- Open Meeting

Office of the Chief Medical Examiner, 400 East Jackson Street, Richmond, Virginia. ♿

The business portion of the meeting is open to the public. At the conclusion of the open meeting, the team will go into closed session for confidential case review.

Contact: Virginia Powell, Coordinator, Department of Health, 400 E. Jackson St., Richmond, VA 23219, telephone (804) 786-6047, FAX (804) 371-8595, toll-free (800) 447-1708, e-mail angela.myrick@vdh.virginia.gov.

STATE BOARD FOR COMMUNITY COLLEGES

September 14, 2005 - 9 a.m. -- Open Meeting

Virginia Community College System, James Monroe Building, 101 North 14th Street, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

Meetings of the Academic Committee, Student Affairs and Workforce Development Committee, and Budget and Finance Committee begin at 1:30 p.m. The Facilities Committee and the Audit Committee will meet at 3 p.m. The Personnel Committee will meet at 3:30 p.m. The Executive Committee will meet at 5 p.m.

Contact: D. Susan Hayden, Director of Public Affairs, Virginia Community College System, 101 N. 14th St., Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ♿

September 15, 2005 - 9 a.m. -- Open Meeting

James Monroe Building, 101 North 14th Street, Godwin-Hamel Board Room, 15th Floor, Richmond, Virginia. ♿ (Interpreter for the deaf provided upon request)

A meeting of the full board. Public comment may be received at the beginning of the meeting upon notification at least five working days prior to the meeting.

Contact: D. Susan Hayden, Director of Public Affairs, Virginia Community College System, 101 N. 14th St., 15th Floor, Richmond, VA 23219, telephone (804) 819-4961, FAX (804) 819-4768, (804) 371-8504/TTY ♿

COMPENSATION BOARD

† **August 24, 2005 - 11 a.m.** -- Open Meeting

830 East Main Street, 2nd Floor, Richmond, Virginia. ♿

A monthly board meeting.

Contact: Cindy P. Waddell, Compensation Board, P.O. Box 710, Richmond, VA 23218, telephone (804) 786-0786, FAX (804) 371-0235, e-mail cindy.waddell@scb.virginia.gov.

Calendar of Events

DEPARTMENT OF CONSERVATION AND RECREATION

Falls of the James Scenic River Advisory Committee

August 11, 2005 - Noon -- Open Meeting
September 8, 2005 - Noon -- Open Meeting
October 13, 2005 - Noon -- Open Meeting
Richmond City Hall, 5th Floor Conference Room, Richmond, Virginia.

A regular meeting to discuss river issues.

Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.


Virginia Soil and Water Conservation Board

September 15, 2005 - 9:30 a.m. -- Open Meeting
Location to be determined.


A regular business meeting to discuss soil and water, stormwater management and dam safety issues.


Contact: David C. Dowling, Policy, Planning, and Budget Director, Department of Conservation and Recreation, 203 Governor St., Suite 302, Richmond, VA 23219, telephone (804) 786-2291, FAX (804) 786-6141, e-mail david.dowling@dcr.virginia.gov.

BOARD FOR CONTRACTORS


August 10, 2005 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A meeting of the Tradesman and Education Committee to conduct committee business. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.virginia.gov.


August 10, 2005 - 1:30 p.m. -- Open Meeting
† **August 11, 2005 - 9 a.m.** -- Open Meeting
† **August 16, 2005 - 9 a.m.** -- Open Meeting
† **August 23, 2005 - 9 a.m.** -- Open Meeting
August 25, 2005 - 9 a.m. -- Open Meeting
† **August 30, 2005 - 9 a.m.** -- Open Meeting
† **September 13, 2005 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Richmond, Virginia. 

Informal fact-finding conferences.


Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.virginia.gov.

August 30, 2005 - 9 a.m. -- CANCELED
October 18, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 


A regular meeting to address policy and procedural issues and review and render decisions on matured complaints against licensees. The meeting is open to the public; however, a portion of the board's business may be conducted in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: Eric L. Olson, Executive Director, Board for Contractors, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY , e-mail contractors@dpor.virginia.gov.


BOARD OF CORRECTIONAL EDUCATION

September 16, 2005 - 10 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, 7th Floor, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A meeting to discuss general business.


Contact: Patty Ennis, Board Clerk, Department of Correctional Education, 101 N. 14th St., 7th Floor, Richmond, VA 23219, telephone (804) 225-3314, FAX (804) 786-7642, (804) 371-8647/TTY , e-mail patricia.ennis@dce.virginia.gov.

BOARD OF CORRECTIONS

† **August 31, 2005 - 10 a.m.** -- Open Meeting
Department of Corrections, Western Regional Office, 5427 Peters Creek Road, Suite 350, Roanoke, Virginia. 

A special meeting to review, discuss and vote on proposed Planning Study and Request for State Jail Construction Funding Reimbursement for the Western Virginia Regional Jail.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail barbara.woodhouse@vadoc.virginia.gov.

September 20, 2005 - 10 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. 

A meeting of the Liaison Committee to discuss correctional matters of interest to the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail barbara.woodhouse@vadoc.virginia.gov.

September 20, 2005 - 1 p.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor,
Room 3054, Richmond, Virginia. ☎

A meeting of the Correctional Services/Policy and Regulations Committee to discuss correctional services and policy/regulation matters to be considered by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail barbara.woodhouse@vadoc.virginia.gov.

September 21, 2005 - 9:30 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. ☎

A meeting of the Administration Committee to discuss administrative matters to be considered by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail barbara.woodhouse@vadoc.virginia.gov.

September 21, 2005 - 10 a.m. -- Open Meeting
Department of Corrections, 6900 Atmore Drive, 3rd Floor Board Room, Richmond, Virginia. ☎

A regular meeting of the full board to review and discuss all matters considered by board committees that require action by the board.

Contact: Barbara Woodhouse, Administrative Staff Assistant, Department of Corrections, 6900 Atmore Dr., Richmond, VA 23225, telephone (804) 674-3124, FAX (804) 674-3236, e-mail barbara.woodhouse@vadoc.virginia.gov.

BOARD OF COUNSELING

† **August 11, 2005 - 9 a.m.** -- Open Meeting
† **November 3, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 3, Richmond, Virginia 23230 ☎

A meeting of the Credentials Review Committee to review the files of applicants to determine if they have met the requirements for licensure.

Contact: Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.virginia.gov.

† **August 12, 2005 - 9:30 a.m.** -- Open Meeting
† **November 4, 2005 - 9:30 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia. ☎

A quarterly meeting to conduct board business.

Contact: Evelyn B. Brown, Executive Director, Board of Counseling, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9912, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.virginia.gov.

CRIMINAL JUSTICE SERVICES BOARD

September 8, 2005 - 9 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ☎

A meeting of the Committee on Training.

Contact: Leon D. Baker, Jr., Division Director, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 225-4086, FAX (804) 786-0588, e-mail lbaker@dcjs.virginia.gov.

September 8, 2005 - 9 a.m. -- Public Hearing
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ☎

September 9, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Criminal Justice Services Board intends to adopt regulations entitled **6 VAC 20-240, Regulations Relating to School Security Officers**. The purpose of the proposed action is to identify compulsory minimum standards for employment, entry-level and in-service training requirements and certification requirements for school security officers.

Statutory Authority: § 9.1-102 of the Code of Virginia.

Contact: Donna Bowman, Manager, Virginia Center for School Safety, 805 E. Broad St., Richmond, VA 23219, telephone (804) 371-6506, FAX (804) 371-8981, or e-mail donna.bowman@dcjs.virginia.gov.

September 8, 2005 - 11 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ☎

A meeting to conduct general board business.

Contact: Leon D. Baker, Jr., Division Director, Department of Criminal Justice Services, Eighth Street Office Bldg., 805 E. Broad St., 10th Floor, Richmond, VA 23219, telephone (804) 225-4086, FAX (804) 786-0588, e-mail lbaker@dcjs.virginia.gov.


BOARD OF DENTISTRY

August 12, 2005 - 9 a.m. -- Open Meeting
August 26, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ☎


A meeting of the Special Conference Committee to hold informal conferences. There will not be a public comment period.

Contact: Cheri Emma-Leigh, Operations Manager, Board of Dentistry, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9906, FAX (804) 662-7246, (804) 662-7197/TTY ☎, e-mail cheri.emma-leigh@dhp.virginia.gov.

Calendar of Events

September 16, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
Richmond, Virginia. 


A meeting to discuss business issues. There will be a public comment period at the beginning of the meeting.

Contact: Sandra Reen, Executive Director, Board of Dentistry, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9906, FAX (804) 662-9943, (804) 662-7197/TTY , e-mail sandra.reen@dhp.virginia.gov.


DESIGN-BUILD/CONSTRUCTION MANAGEMENT REVIEW BOARD

August 18, 2005 - 11 a.m. -- Open Meeting

September 15, 2005 - 11 a.m. -- Open Meeting

October 20, 2005 - 11 a.m. -- Open Meeting
Department of General Services, Eighth Street Office Building, 805 East Broad Street, 3rd Floor, Richmond, Virginia. 
(Interpreter for the deaf provided upon request)

A monthly meeting to review requests submitted by localities to use design-build or construction-management-type contracts. Contact the Division of Engineering and Building to confirm the meeting.

Contact: Rhonda M. Bishton, Administrative Assistant, Department of General Services, 805 E. Broad Street, Room 101, Richmond, VA 23219, telephone (804) 786-3263, FAX (804) 371-7934, (804) 786-6152/TTY , or e-mail rhonda.bishton@dgs.virginia.gov.

VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP

August 8, 2005 - 9 a.m. -- Open Meeting
Riverfront Plaza, 901 East Byrd Street, West Tower, 19th Floor, Richmond, Virginia. 

A regular meeting.


Contact: Kimberly M. Ellett, Senior Executive Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218, telephone (804) 371-8108, FAX (804) 371-8112, e-mail kellett@yesvirginia.org.

August 8, 2005 - 2 p.m. -- Open Meeting
901 East Byrd Street, Riverfront Plaza, West Tower, 20th Floor, Richmond, Virginia. 

A meeting of the Finance Committee.


Contact: Kimberly M. Ellett, Senior Executive Assistant, Virginia Economic Development Partnership, P.O. Box 798, Richmond, VA 23218, telephone (804) 371-8108, FAX (804) 371-8112, e-mail kellett@yesvirginia.org.

BOARD OF EDUCATION

September 21, 2005 - 9 a.m. -- Open Meeting
James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms C and D, Richmond, Virginia. 

A regular business meeting of the board. The public is urged to confirm arrangements prior to each meeting by viewing the Department of Education's public meeting calendar at <http://www.pen.k12.va.us/VDOE/meetings.html>. This site will contain the latest information on the meeting arrangements and will note any last minute changes in time or location. Persons who wish to speak or who require the services of an interpreter for the deaf should contact the agency at least 72 hours in advance.

Contact: Dr. Margaret N. Roberts, Office of Policy and Public Affairs, Department of Education, P.O. Box 2120, James Monroe Bldg., 101 N. 14th St., 25th Floor, Richmond, VA 23219, telephone (804) 225-2540, FAX (804) 225-2524, e-mail margaret.roberts@doe.virginia.gov.

† **September 21, 2005 - 11 a.m.** -- Public Hearing
James Monroe Building, 101 North 14th Street, Main Lobby Level, Conference Rooms D and E, Richmond, Virginia. 


† **October 11, 2005** - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Education intends to adopt regulations entitled **8 VAC 20-660, Regulations Governing Reenrollment Plans**. The General Assembly established the requirements for regulations in response to a study regarding the transfer of students between public schools, detention homes and juvenile correctional centers. This study recommended establishment of a reenrollment plan to share information about the student's public and correctional education and to facilitate the student's reenrollment in public schools upon release from commitment.

Statutory Authority: §§ 16.1-293, 22.1-17.1 and 22.1-343 of the Code of Virginia.

Contact: Dr. Cynthia Cave, Director of Student Services, Department of Education, P.O. Box 2120, Richmond, VA 23218, telephone (804) 225-2818, FAX (804) 225-2524 or e-mail ccave@mail.vak12ed.edu.


DEPARTMENT OF ENVIRONMENTAL QUALITY

August 9, 2005 - 7 p.m. -- Open Meeting
Department of Environmental Quality, West Central Regional Office, 3019 Peters Creek Road, Roanoke, Virginia. 

A public meeting to discuss a study to restore water quality in the Roanoke River Watershed for segments impaired for bacteria located in Roanoke City and the counties of Montgomery, Bedford and Franklin. The public notice appeared in the Virginia Register of Regulations on July 11, 2005. The public comment period begins on August 9, 2005, and closes on September 9, 2005.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, e-mail jrhill@deq.virginia.gov.


August 16, 2005 - 7 p.m. -- Open Meeting

Smith Mountain Lake 4-H Center, W.E. Skelton Educational Conference Center, Wirtz, Virginia. 

The first public meeting on the development of bacteria TMDLs for impaired waters in the Pigg River Watershed located in Pittsylvania, Franklin and Campbell counties. The public notice appeared in the Virginia Register of Regulations on July 11, 2005. The comment period begins on August 16, 2005, and ends on September 16, 2005.

Contact: Mary R. Dail, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6715, FAX (540) 562-6860, e-mail mrdail@deq.virginia.gov.

† August 30, 2005 - 3 p.m. -- Open Meeting

Alleghany County Governmental Complex, 9212 Winterberry Avenue, Board of Supervisors Room, Low Moor, Virginia. 

A public meeting on the development of a TMDL for impaired waters in the Jackson River watershed in Alleghany, Botetourt, and Covington. The public notice appears in the Virginia Register on August 8, 2005. The comment period begins on August 30, 2005, and ends on September 30, 2005.

Contact: Jason R. Hill, Department of Environmental Quality, 3019 Peters Creek Rd., Roanoke, VA 24019, telephone (540) 562-6724, FAX (540) 562-6860, e-mail jrhill@deq.virginia.gov.


Litter Control and Recycling Fund Advisory Board**October 12, 2005 - 10:30 a.m.** -- Open Meeting

Department of Environmental Quality, 629 East Main Street, Richmond, Virginia.

A regular meeting.

Contact: G. Steven Coe, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4029, FAX (804) 698-4224, e-mail gscoe@deq.virginia.gov.

VIRGINIA FIRE SERVICES BOARD**August 19, 2005 - 10 a.m.** -- Open Meeting

Hampton Convention Center, Hampton, Virginia.  (Interpreter for the deaf provided upon request)


Meetings of the following committees:

- 10 a.m. - Committee on Fire Education and Training
- 1 p.m. - Committee on Fire Prevention and Control
- 2:30 p.m. - Committee on Administration, Policy and Finance

The VFSB members will be attending multiple functions relating to the VSFA Convention. No public business will be discussed at this time.

Contact: Nausheen Khan, Clerk and Research Assistant, Virginia Fire Services Board, 1005 Technology Park Dr., Glen Allen, VA 23059, telephone (804) 371-0220, FAX (804) 371-3408, e-mail nausheen.khan@vdfp.virginia.gov.

August 20, 2005 - 9 a.m. -- Open Meeting

Hampton Convention Center, Hampton, Virginia.  (Interpreter for the deaf provided upon request)


The VFSB members will be attending various activities associated with the VSFA Convention. No public business will be discussed at this time.

Contact: Nausheen Khan, VFSB Clerk and Research Assistant, Virginia Fire Services Board, 1005 Technology Park Drive, Glen Allen VA 23059, telephone (804) 371-0220, FAX (804) 371-3418, e-mail nausheen.khan@vdfp.virginia.gov.

BOARD OF FUNERAL DIRECTORS AND EMBALMERS**† August 17, 2005 - 9 a.m.** -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A meeting of the Regulatory/Legislative Committee to discuss the rules and regulations that pertain to the practice of funeral service.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail elizabeth.young@dhp.virginia.gov.


† September 13, 2005 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 


A meeting to discuss general business matters relating to funeral service.

Contact: Elizabeth Young, Executive Director, Board of Funeral Directors and Embalmers, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9907, FAX (804) 662-9523, (804) 662-7197/TTY , e-mail elizabeth.young@dhp.virginia.gov.

BOARD FOR GEOLOGY**October 12, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business.

Contact: David E. Dick, Executive Director, Board for Geology, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail geology@dpor.virginia.gov.

STATE BOARD OF HEALTH

August 29, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Board of Health intends to repeal regulations entitled **12 VAC 5-480, Radiation**

Calendar of Events

Protection Regulations and adopt regulations entitled 12 VAC 5-481, Virginia Radiation Protection Regulations.


The purpose of the proposed action is to comprehensively amend the regulations in light of the most current safety considerations.

Statutory Authority: § 32.1-229 of the Code of Virginia.


Contact: Les Foldesi, Director, Radiological Health Program, Department of Health, 109 Governor St., Richmond, VA 23219, telephone (804) 864-8150, FAX (804) 864-7902 or e-mail les.foldesi@vdh.virginia.gov.

DEPARTMENT OF HEALTH

October 21, 2005 - 10 a.m. -- Open Meeting

Virginia Hospital and Healthcare Association, 4200 Innslake Drive, Glen Allen, Virginia.  (Interpreter for the deaf provided upon request)

A meeting of the Virginia Early Hearing Detection and Intervention Program Advisory Committee to assist the Virginia Department of Health in the implementation of the Virginia Early Hearing Detection and Intervention Program. The advisory committee meets four times a year.

Contact: Pat T. Dewey, Program Manager, Department of Health, 109 Governor St., 8th Floor, Richmond, VA 23219, telephone (804) 864-7713, FAX (804) 864-7721, toll-free (866) 493-1090, (800) 828-1120/TTY , e-mail pat.dewey@vdh.virginia.gov.

Hemophilia Advisory Board

September 23, 2005 - 10 a.m. -- Open Meeting

State Corporation Commission Building, 1300 E. Main Street, Richmond, Virginia.


Discussion of hemophilia-related issues, statistics and reports. Other matters are not yet determined.

Contact: Jan Kuhn, Program Nurse Manager, or Tamara Quarles, Program Specialist, Department of Health, P.O. Box 980461, telephone (804) 827-3306, FAX (804) 692-0291, toll-free (866) 228-2516, e-mail jgkuhn@mail2.vcu.edu or tsquarles@vcu.edu.

DEPARTMENT OF HEALTH PROFESSIONS

August 19, 2005 - 9 a.m. -- Open Meeting

October 21, 2005 - 9 a.m. -- Open Meeting

Department of Health Professions, 6603 West Broad Street, Board Room 3, Richmond, Virginia. 


A meeting of the Health Practitioners' Intervention Program Committee.

Contact: Peggy W. Call, Intervention Program Manager, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9424, FAX (804) 662-7358, e-mail peggy.call@dhp.virginia.gov.


BOARD FOR HEARING AID SPECIALISTS

† **August 29, 2005 - 9 a.m.** -- Open Meeting

† **November 7, 2005 - 9 a.m.** -- Open Meeting

Department of Professional and Occupational Regulation
3600 West Broad Street, 4th Floor Richmond, Virginia. 

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be conducted in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to this meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Hearing Aid Specialists, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY , e-mail hearingaidspec@dpor.virginia.gov.

STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

September 12, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Council of Higher Education for Virginia intends to amend regulations entitled **8 VAC 40-20, Regulations for the Senior Citizen Higher Education Program**. The purpose of the proposed action is to conform the regulations with the enabling statute, § 23-38.56 of the Code of Virginia, by providing clarifying language and by incorporating changes from Chapters 381, 521, and 700 of the Acts of Assembly.

Statutory Authority: § 23-38.56 of the Code of Virginia.


Contact: Rick Patterson, Regulatory Coordinator, State Council of Higher Education for Virginia, 101 N. 14th St., Richmond, VA 23219, telephone (804) 225-2609, FAX (804) 225-2604, or e-mail rickpatterson@schev.edu.

VIRGINIA INFORMATION TECHNOLOGIES AGENCY

Information Technology Investment Board


August 10, 2005 - 1 p.m. -- Open Meeting

October 5, 2005 - 1 p.m. -- Open Meeting

Virginia Information Technologies Agency Operations Center, 110 South 7th Street, 4th Floor Auditorium, Richmond, Virginia. 

A regular meeting.

Contact: Jennifer W. Hunter, Interim IT Investment Board Executive Director, Virginia Information Technologies Agency, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 343-9012, FAX (804) 343-9015, e-mail jenny.hunter@vita.virginia.gov.

September 8, 2005 - 1 p.m. -- Open Meeting
Virginia Information Technologies Agency Operations Center,
110 South 7th Street, 4th Floor Auditorium, Richmond,
Virginia. 

A special meeting in closed session to review and approve the recommendations of the Enterprise Applications PPEA Steering Committee to proceed (or not) into negotiation phase. For more information on PPEA, visit <http://www.vita.virginia.gov/ppea/ppea.cfm>.

Contact: Jennifer W. Hunter, Interim IT Investment Board Executive Director, Virginia Information Technologies Agency, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 343-9012, FAX (804) 343-9015, e-mail jenny.hunter@vita.virginia.gov.

E-911 Wireless Services Board

September 14, 2005 - 9 a.m. -- Open Meeting
110 South 7th Street, 1st Floor, Telecommunications Conference Room, Suite 100, Richmond, Virginia.

A subcommittee meeting. A request will be made to hold the meeting in closed session.

Contact: Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-0015, FAX (804) 371-2277, toll-free (866) 482-3911, e-mail steve.marzolf@vita.virginia.gov.


September 14, 2005 - 10 a.m. -- Open Meeting
110 South 7th Street, 4th Floor Auditorium, Richmond, Virginia.

A regular board meeting.


Contact: Steve Marzolf, Public Safety Communications Coordinator, Virginia Information Technologies Agency, 110 S. 7th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-0015, FAX (804) 371-2277, toll-free (866) 482-3911, e-mail steve.marzolf@vita.virginia.gov.


JAMESTOWN-YORKTOWN FOUNDATION

NOTE: CHANGE IN MEETING DATE


October 12, 2005 - Noon -- Open Meeting
Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A regular meeting of the Executive Committee of the Jamestown 2007 Steering Committee. Call contact below for specific meeting location.

Contact: Judith Leonard, Administrative Office Manager, Jamestown-Yorktown Foundation, 410 W. Francis St., Williamsburg, VA 23185, telephone (757) 253-4253, FAX (757) 253-4950, (757) 253-5110/TTY , e-mail judith.leonard@jyf.virginia.gov.

August 9, 2005 - 12 p.m. -- Open Meeting
Patrick Henry Building, 1111 East Broad Street, Room 4 West, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A joint meeting of the Executive and Finance Committees of the Board of Trustees.

Contact: Laura W. Bailey, Executive Assistant to the Boards, Jamestown-Yorktown Foundation, P.O. Box 1607, Williamsburg, VA 23187, telephone (757) 253-4840, FAX (757) 253-5299, toll-free (888) 593-4682, (757) 253-5110/TTY , e-mail laura.bailey@jyf.virginia.gov.

BOARD OF JUVENILE JUSTICE

November 9, 2005 - 10 a.m. -- Public Hearing
Department of Juvenile Justice, 700 East Franklin Street, 4th Floor, Richmond, Virginia.

November 25, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Juvenile Justice intends to amend regulations entitled **6 VAC 35-10, Public Participation Guidelines**. The purpose of the proposed action is to update the regulation to reflect technological and statutory changes since the original regulation was adopted in 1991.

Statutory Authority: §§ 2.2-4007 and 66-3 of the Code of Virginia.


Public comments may be submitted until November 25, 2005, to Patricia Rollston, P.O. Box 1110, Richmond, VA 23219-1110.

Contact: Donald R. Carignan, Regulatory Coordinator, Department of Juvenile Justice, P.O. Box 1110, Richmond, VA 23219-1110, telephone (804) 371-0743, FAX (804) 371-0773 or e-mail don.carignan@djj.virginia.gov.

DEPARTMENT OF LABOR AND INDUSTRY

Virginia Apprenticeship Council


NOTE: CHANGE IN MEETING DATE

September 14, 2005 - 10 a.m. -- Open Meeting
Location to be announced.  (Interpreter for the deaf provided upon request)

A meeting to conduct general business.

Contact: Beverley Donati, Program Director, Department of Labor and Industry, Powers-Taylor Bldg., 13 S. 13th St., Richmond, VA 23219, telephone (804) 786-2382, FAX (804) 786-8418, (804) 786-2376/TTY , e-mail bgd@doli.state.va.us.

STATE LAND EVALUATION ADVISORY COUNCIL

September 13, 2005 - 11 a.m. -- Open Meeting
Department of Taxation, 2220 West Broad Street, Richmond, Virginia. 

A meeting to adopt suggested ranges of values for agricultural, horticultural, forest and open-space land use and the use-value assessment program.

Calendar of Events

Contact: H. Keith Mawyer, Property Tax Manager, Department of Taxation, 2220 W. Broad St., Richmond, VA 23220, telephone (804) 367-8020, FAX (804) 367-8662, e-mail keith.mawyer@tax.virginia.gov.

STATE LIBRARY BOARD

September 19, 2005 - 8:15 a.m. -- Open Meeting
The Library of Virginia, 800 East Broad Street, Richmond, Virginia. ☎

Meetings of the board to discuss matters pertaining to the Library of Virginia and the board. Committees of the board will meet as follows:

8:15 a.m. - Public Library Development Committee, Orientation Room
Publications and Educational Services Committee, Conference Room B
Records Management Committee, Conference Room C

9:30 a.m. - Archival and Information Services Committee, Orientation Room
Collection Management Services Committee, Conference Room B
Legislative and Finance Committee, Conference Room C

10:30 a.m. - Library Board, Conference Room, 2M

Contact: Jean H. Taylor, Executive Secretary to the Librarian, The Library of Virginia, 800 E. Broad St., Richmond, VA 23219-8000, telephone (804) 692-3535, FAX (804) 692-3594, (804) 692-3976/TTY ☎, e-mail jtaylor@lva.lib.va.us.

MARINE RESOURCES COMMISSION

August 23, 2005 - 9:30 a.m. -- Open Meeting
September 27, 2005 9:30 a.m. -- Open Meeting
Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. ☎ (Interpreter for the deaf provided upon request)

A monthly commission meeting.

Contact: Jane McCroskey, Commission Secretary, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2215, FAX (757) 247-8101, toll-free (800) 541-4646, (757) 247-2292/TTY ☎, e-mail jane.mccroskey@mrc.virginia.gov.

BOARD OF MEDICAL ASSISTANCE SERVICES

September 13, 2005 - 10 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor Conference Room, Richmond, Virginia. ☎

A quarterly meeting.

Contact: Nancy Malczewski, Board Liaison, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 786-8096, FAX (804) 371-4981, (800) 343-0634/TTY ☎, e-mail nancy.malczewski@dmas.virginia.gov.

DEPARTMENT OF MEDICAL ASSISTANCE SERVICES

August 11, 2005 - 2 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Board Room, Richmond, Virginia. ☎

A meeting of the Drug Utilization Review Board to discuss issues and concerns about Medicaid pharmacy issues with the committee and the community.

Contact: Rachel Cain, Pharmacist, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 225-2873, FAX (804) 786-5799, (800) 343-0634/TTY ☎, e-mail rachel.cain@dmas.virginia.gov.

† August 31, 2005 - 9 a.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Richmond, Virginia. ☎

A quarterly meeting of the Pharmacy and Therapeutics Committee.

Contact: Katina Goodwyn, Pharmacy Contract Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-0428, FAX (804) 786-0973, (800) 343-0634/TTY ☎, e-mail katina.goodwyn@dmas.virginia.gov.

September 21, 2005 - 1 p.m. -- Open Meeting
Department of Medical Assistance Services, 600 East Broad Street, 13th Floor, Boardroom, Richmond, Virginia.

A meeting of the Medicaid Transportation Advisory Committee to discuss issues and concerns about Medicaid transportation issues with the committee and the community.

Contact: Bob Knox, Transportation Manager, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond, VA 23219, telephone (804) 371-8854, FAX (804) 786-5799, (800) 343-0634/TTY ☎, e-mail bob.knox@dmas.virginia.gov.

September 23, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Department of Medical Assistance Services intends to amend regulations entitled **12 VAC 30-80, Methods and Standards for Establishing Payment Rates: Other Types of Care**. The purpose of the proposed action is to establish a new payment methodology for generic drugs and brand-name drugs that are priced as generics that is based on Wholesale Average Cost (WAC). This methodology will permit the weekly review of marketplace prices for drugs and revisions of DMAS' prices.

Statutory Authority: §§ 32.1-324 and 32.1-325 of the Code of Virginia.

Contact: Katina Goodwyn, Pharmacy Contract Manager, Division of Healthcare Services, Department of Medical Assistance Services, 600 E. Broad St., Suite 1300, Richmond,

VA 23219, telephone (804) 371-0428, FAX (804) 786-1680 or e-mail katina.goodwyn@dmas.virginia.gov.

BOARD OF MEDICINE

August 10, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia.

August 16, 2005 - 9 a.m. -- Open Meeting
September 13, 2005 - 9 a.m. -- Open Meeting
Holiday Inn Select, 2801 Plank Road, Fredericksburg, Virginia. (Interpreter for the deaf provided upon request)

August 24, 2005 - 9 a.m. -- Open Meeting
Williamsburg Marriott, 50 Kingsmill Road, Williamsburg, Virginia.

A Special Conference Committee will convene an informal conference to inquire into allegations that certain practitioners of medicine or the other healing arts may have violated certain laws and regulations governing the practice of medicine. Further, the committee may review cases with board staff for case disposition, including consideration of consent orders for settlement. The committee will meet in open and closed session pursuant to the Code of Virginia. Public comment will not be received.

Contact: Renee S. Dixon, Discipline Case Manager, Board of Medicine, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-7009, FAX (804) 662-9517, (804) 662-7197/TTY ☎, e-mail renee.dixon@dhp.virginia.gov.

August 19, 2005 - 8:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the Legislative Committee to consider regulatory matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

September 9, 2005 - Public comments may be received until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Medicine intends to amend regulations entitled **18 VAC 85-20, Regulations Governing the Practice of Medicine, Osteopathy, Podiatry and Chiropractic**. The purpose of the proposed action is to incorporate the requirement for the practitioner to report any final disciplinary action taken by institutions or entities, which results in suspension or revocation of privileges or termination of employment. The requirement for reporting is currently stated in § 54.1-2910.1 (10) of the Code of Virginia, but its addition to regulation will ensure that practitioners are obligated to report within 30 days.

Statutory Authority: §§ 54.1-2400 and 54.1-2910.1 of the Code of Virginia.

Public comments may be submitted until September 9, 2005, to William L. Harp, M.D., Director, Board of Medicine, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

† **September 16, 2005 - 8 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment on agenda items will be received at the beginning of the meeting.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

September 16, 2005 - 8 a.m. -- CANCELED
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 2, Richmond, Virginia.

A meeting of the Executive Committee has been canceled.

Contact: William L. Harp, M.D., Executive Director, Board of Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9908, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail william.harp@dhp.virginia.gov.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

† **August 9, 2005 - 10 a.m.** -- Public Hearing
Best Western of Marion, 1424 North Main Street, Marion, Virginia. ♿ (Interpreter for the deaf provided upon request)

† **August 11, 2005 - 10 a.m.** -- Public Hearing
Holiday Inn, 564 Warrenton Road, Fredericksburg, Virginia. ♿ (Interpreter for the deaf provided upon request)

† **August 12, 2005 - 10 a.m.** -- Public Hearing
Omni Newport News Hotel, 1000 Omni Boulevard, Newport News, Virginia. ♿ (Interpreter for the deaf provided upon request)


Public hearings to receive comments on the emergency regulations being drafted to comply with Chapter 7 of the 2005 Virginia General Assembly. This act requires the agency to establish standards to evaluate the need and appropriateness of issuance of new licenses to opiate addiction treatment providers using Methadone or any other controlled substance in the course of treatment. The draft regulations are available on the agency's website, www.dmhmrssas.virginia.gov

Calendar of Events


Contact: Ken Batten or Leslie Anderson, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218-1797, telephone (804) 786-3908, toll-free (800) 451-5544, e-mail regcomments@co.dmhmrnsas.virginia.gov.

August 10, 2005 - 10 a.m. -- Public Hearing
Jefferson Building, 1220 Bank Street, 8th Floor Conference Room, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A public hearing to receive comments on the Virginia Community Mental Health Services Performance Partnership Block Grant Application for Federal FY 2006. Copies of the application are available for review at the Office of Mental Health Services, 10th Floor, Jefferson Building, and at each community services board office. Comments may be made at the hearing or in writing no later than August 10, 2005, to the Office of the Commissioner, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218. Any person wishing to make a presentation at the hearing should contact William T. Ferriss, LCSW. Copies of oral presentations should be filed at the time of the hearing.

Contact: William T. Ferriss, LCSW, Office of Mental Health, Department of Mental Health, Mental Retardation and Substance Abuse Services, P.O. Box 1797, Richmond, VA 23218, telephone (804) 786-4837, FAX (804) 371-0091, (804) 371-8977/TTY 

STATE MILK COMMISSION


August 17, 2005 - 10:45 a.m. -- Open Meeting
Department of Forestry, 900 Natural Resources Drive, Room 2054, Charlottesville, Virginia 

A regular meeting to consider industry issues, distributor licensing, base transfers, and reports from staff. The commission offers anyone in attendance an opportunity to speak at the conclusion of the agenda. Those persons requiring special accommodations should notify the agency meeting contact at least five working days prior to the meeting date so that suitable arrangements can be made.

Contact: Edward C. Wilson, Jr., Deputy Administrator, State Milk Commission, Washington Bldg., 1100 Bank St., Suite 1019, Richmond, VA 23218, telephone (804) 786-2013, FAX (804) 786-3779, e-mail edward.wilson@vdacs.virginia.gov.


DEPARTMENT OF MOTOR VEHICLES

DMV Medical Advisory Board

† August 10, 2005 - 8 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

A general business meeting.


Contact: Jacquelin Branche, R.N., Division Manager, Department of Motor Vehicles, 2300 W. Broad St., Richmond

VA 23220, telephone (804) 497-7188, FAX (804) 367-1604, toll-free (800) 435-5137, (804) 272-9268/TTY , e-mail jacquelin.branche@dmv.virginia.gov.


VIRGINIA MUSEUM OF FINE ARTS

† August 9, 2005 - 2 p.m. -- Open Meeting
Virginia Museum of Fine Arts, CEO Parlor, 200 North Boulevard, Richmond, Virginia. 


A meeting of the Museum Expansion Committee for staff to update the committee in closed session. Public comment will not be received.


Contact: Suzanne Broyles, Secretary of the Museum, Virginia Museum of Fine Arts, 200 N. Boulevard, Richmond, VA 23220, telephone (804) 340-1503, FAX (804) 340-1502, (804) 340-1402/TTY , e-mail sbroyles@vmfa.state.va.us.

BOARD OF NURSING


August 9, 2005 - 9 a.m. -- Open Meeting
August 16, 2005 - 9 a.m. -- Open Meeting
August 23, 2005 - 9 a.m. -- Open Meeting
August 25, 2005 - 9 a.m. -- Open Meeting
August 30, 2005 - 9 a.m. -- Open Meeting
October 4, 2005 - 9 a.m. -- Open Meeting
October 11, 2005 - 9 a.m. -- Open Meeting
October 17, 2005 - 9 a.m. -- Open Meeting
October 18, 2005 - 9 a.m. -- Open Meeting
October 20, 2005 - 9 a.m. -- Open Meeting
October 25, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

A Special Conference Committee comprised of two or three members of the Virginia Board of Nursing or agency subordinate will conduct informal conferences with licensees and certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 West Broad Street, 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail nursebd@dhp.virginia.gov.

† September 7, 2005 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia. 

A meeting of the Medication Aide Task Force to promulgate regulations regarding medication aides.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY , e-mail jay.douglas@dhp.virginia.gov.

September 19, 2005 - 9 a.m. -- Open Meeting
September 21, 2005 - 9 a.m. -- Open Meeting
September 22, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 2, Richmond, Virginia. ♿

A panel of the board will conduct formal hearings with licensees and/or certificate holders. Public comment will not be received.

Contact: Jay P. Douglas, R.N., M.S.M., C.S.A.C., Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.virginia.gov.

September 20, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 2, Richmond, Virginia. ♿

A general business meeting including committee reports, consideration of regulatory action and discipline case decisions as presented on the agenda. Public comment will be received at 11 a.m.

Contact: Jay P. Douglas, R.N., Executive Director, Board of Nursing, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail jay.douglas@dhp.virginia.gov.

JOINT BOARDS OF NURSING AND MEDICINE

August 24, 2005 - 9 a.m. -- Open Meeting
October 19, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Board Room 1, Richmond, Virginia. ♿

A meeting of the Joint Boards of Nursing and Medicine.

Contact: Jay P. Douglas, RN, MSM, CSAC, Executive Director, Board of Nursing, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9909, FAX (804) 662-9512, (804) 662-7197/TTY ☎, e-mail nursebd@dhp.virginia.gov.

BOARD OF NURSING HOME ADMINISTRATORS

October 12, 2005 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. ♿

A meeting to discuss general board business. There will be a public comment period during the first 15 minutes of the meeting.

Contact: Sandra Reen, Executive Director, Board of Nursing Home Administrators, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-7457, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail sandra.reen@dhp.virginia.gov.

OLD DOMINION UNIVERSITY

† **September 9, 2005 - 1 p.m.** -- Open Meeting
Webb University Center, Old Dominion University, Norfolk,
Virginia. ♿

A quarterly meeting of the governing board of the institution to discuss business of the board and the institution as determined by the rector and the president. Public comment will not be received by the board.

Contact: Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

† **August 15, 2005 - 3 p.m.** -- Open Meeting
† **October 24, 2005 - 3 p.m.** -- Open Meeting
Webb University Center, Old Dominion University, Norfolk,
Virginia. ♿

A regular meeting of the executive committee of the governing board of the institution to discuss business of the board and the institution as determined by the rector and the president. Public comment will not be received by the board.

Contact: Donna Meeks, Executive Secretary to the Board of Visitors, Old Dominion University, 204 Koch Hall, Norfolk, VA 23529, telephone (757) 683-3072, FAX (757) 683-5679, e-mail dmeeks@odu.edu.

OLMSTEAD OVERSIGHT ADVISORY COMMITTEE

August 11, 2005 - 11 a.m. -- Open Meeting
October 13, 2005 - 11 a.m. -- Open Meeting
Virginia Housing Development Authority, 621 South Belvidere
Street, Richmond, Virginia.

August 23, 2005 - 1 p.m. -- Open Meeting
Wythe Building, 1604 Santa Rosa Rd, Richmond, Virginia.

September 13, 2005 - 11 a.m. -- Open Meeting
September 14, 2005 - 9 a.m. -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms
Drive, Richmond, Virginia.

A regular meeting.

Contact: Kathie Shifflett, Administrative Assistant, 8004 Franklin Farms Dr., Richmond, VA 23229, telephone (804) 622-7069, FAX (804) 662-7663, e-mail kathie.shifflett@drs.virginia.gov.

BOARD FOR OPTICIANS

† **November 4, 2005 - 9:30 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

A general business meeting including consideration of regulatory issues as may be presented on the agenda. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Public comment will be heard at the beginning of the

Calendar of Events

meeting. Person desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: William H. Ferguson, II, Executive Director, Board for Opticians, 3600 W. Broad St., Richmond, VA 23230-4917, telephone (804) 367-8590, FAX (804) 367-6295, (804) 367-9753/TTY ☎, e-mail opticians@dpor.virginia.gov.

VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES

August 31, 2005 - 10 a.m. -- Open Meeting
202 North 9th Street, Richmond, Virginia. ♿

A meeting of the Executive Committee.

Contact: Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail sandra.smalls@vbpd.virginia.gov.

September 1, 2005 - 9 a.m. -- Open Meeting
Holiday Inn, 6531 West Broad Street, Richmond, Virginia. ♿
(Interpreter for the deaf provided upon request)

A quarterly board meeting.

Contact: Sandra Smalls, Executive Assistant, Virginia Board for People with Disabilities, 202 N. 9th St., 9th Floor, Richmond, VA 23219, telephone (804) 786-0016, FAX (804) 786-1118, toll-free (800) 846-4464, (800) 846-4464/TTY ☎, e-mail sandra.smalls@vbpd.virginia.gov.

BOARD OF PHARMACY

August 12, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Pharmacy intends to amend regulations entitled **18 VAC 110-30, Regulations for Practitioners of the Healing Arts to Sell Controlled Substances**. The purpose of the proposed action is to eliminate unnecessary requirements for equipment and security, allow electronic transmission and storage of records, amend a burdensome reinstatement requirement and clarify rules for repackaging and storage. In addition, regulations are updated for consistency with Code changes requiring registration and training of pharmacy technicians and counseling of patients.

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until August 12, 2005, to Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St.,

Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.

† **August 18, 2005 - 1 p.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. ♿

A meeting of the Ad Hoc Committee on Wholesale Distributor Regulations to discuss amending regulations entitled 18 VAC 110-50, Regulations Governing Wholesale Distributors, Manufacturers and Warehousemen, to add a requirement for a pedigree system in wholesale distribution of prescription drugs. Public comment will be received.

Contact: Elizabeth Scott Russell, RPh, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY ☎, e-mail scotti.russell@dhp.virginia.gov.

† **August 23, 2005 - 9:30 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A panel will discuss disciplinary matters. No public comments will be received.

Contact: Elizabeth Scott Russell, Executive Director, Board of Pharmacy, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9911, FAX (804) 662-9313.

September 13, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 2, Richmond, Virginia. ♿

A meeting to consider regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Elizabeth Scott Russell, RPh, Executive Director, Board of Pharmacy, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9911, FAX (804) 662-9313, (804) 662-7197/TTY ☎, e-mail scotti.russell@dhp.virginia.gov.

BOARD OF PHYSICAL THERAPY

August 19, 2005 - 9 a.m. -- Open Meeting
† **October 28, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A regular business meeting.

Contact: Elizabeth Young, Executive Director, Board of Physical Therapy, Alcoa Bldg., 6603 West Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9924, FAX (804) 662-9523, (804) 662-7197/TTY ☎, e-mail elizabeth.young@dhp.virginia.gov.

POLYGRAPH EXAMINERS ADVISORY BOARD

September 1, 2005 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A meeting to conduct board business. The meeting is open to the public; however a portion of the board's business may be discussed in closed session. All meetings are subject to cancellation. The time of the meeting is subject to change. Any person desiring to attend the meeting and requiring special accommodations or interpreter services should contact the board at least 10 days prior to the meeting so suitable arrangements can be made. The board fully complies with the Americans with Disabilities Act.

Contact: Kevin Hoeft, Regulatory Boards Administrator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-2785, FAX (804) 367-2474, (804) 367-9753/TTY ☎, e-mail kevin.hoeft@dpor.virginia.gov.

BOARD FOR PROFESSIONAL AND OCCUPATIONAL REGULATION

September 19, 2005 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. ♿

A quarterly board meeting.

Contact: Judith A. Spiller, Executive Secretary, Board for Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8519, FAX (804) 367-9537, (804) 367-9753/TTY ☎, e-mail judy.spiller@dpor.virginia.gov.

BOARD OF PSYCHOLOGY

August 23, 2005 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A formal hearing.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.virginia.gov.

October 11, 2005 - 9:30 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. ♿

A business meeting to include reports from standing committees and any regulatory and disciplinary matters as may be presented on the agenda. Public comment will be received at the beginning of the meeting.

Contact: Evelyn B. Brown, Executive Director, Board of Psychology, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9913, FAX (804) 662-9943, (804) 662-7197/TTY ☎, e-mail evelyn.brown@dhp.virginia.gov.

VIRGINIA PUBLIC GUARDIAN AND CONSERVATOR ADVISORY BOARD

September 29, 2005 - 10 a.m. -- Open Meeting
Department for the Aging, 1610 Forest Avenue, Suite 100, Richmond, Virginia. ♿

An advisory board meeting.

Contact: Janet Dingle Brown, Esq, Public Guardianship Coordinator and Legal Services Developer, Department for the Aging, 1610 Forest Ave., Suite 100, Richmond, VA 23229, telephone (804) 662-7049, FAX (804) 662-9354, toll-free (800) 552-3402, (804) 662-9333/TTY ☎, e-mail janet.brown@vda.virginia.gov.

SECRETARY OF PUBLIC SAFETY

† **August 24, 2005 - 10 a.m.** -- Open Meeting
Patrick Henry Building, 1111 East Broad Street, Richmond, Virginia. ♿

A citizen soldier meeting.

Contact: Doug Manley, Department of Military Affairs, Building 316, Fort Pickett, Blackstone, VA, telephone (434) 298-6405, e-mail douglas.manley@va.ngb.army.mil.

REAL ESTATE APPRAISER BOARD

August 23, 2005 - 10 a.m. -- Open Meeting
† **November 1, 2005 - 10 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4 West Conference Room, Richmond, Virginia. ♿

A meeting to discuss board business.

Contact: Karen W. O'Neal, Regulatory Programs Coordinator, Department of Professional and Occupational Regulation, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8537, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail karen.oneal@dpor.virginia.gov.

† **August 11, 2005 - 9 a.m.** -- Open Meeting
September 14, 2005 - 11 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. ♿

Informal fact-finding conferences.

Contact: Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, e-mail reappraisers@dpor.virginia.gov.

REAL ESTATE BOARD

† **August 11, 2005 - 9 a.m.** -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4th Floor, Room 453, Richmond, Virginia. ♿

Informal fact-finding conferences.

Calendar of Events

Contact: Christine Martine, Executive Director, Real Estate Appraiser Board, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, e-mail reappraisers@dpor.virginia.gov.

September 15, 2005 - 9 a.m. -- Open Meeting
Department of Professional and Occupational Regulation, 3600 West Broad Street, 4 West Conference Room, Richmond, Virginia.23230.♿

A meeting to discuss any and all board business.

Contact: Christine Martine, Executive Director, Real Estate Board, 3600 W. Broad Street, Richmond, VA 23230, telephone (804) 367-8552, FAX (804) 367-6946, (804) 367-9753/TTY ☎, e-mail reboard@dpor.virginia.gov.

DEPARTMENT OF REHABILITATIVE SERVICES

Commonwealth Neurotrauma Initiative Trust Fund Advisory Board

† **September 30, 2005 - 10 a.m.** -- Open Meeting
Department of Rehabilitative Services, 8004 Franklin Farms Drive, Conference Room 101, Richmond, Virginia.♿ (Interpreter for the deaf provided upon request)

A regular meeting.

Contact: Kristie Chamberlain, CNI Program Administrator, Department of Rehabilitative Services, 8004 Franklin Farms Dr., Richmond, VA 23229, telephone (804) 662-7154, FAX (804) 662-7663, toll-free (800) 552-5019, e-mail kristie.chamberlain@drs.virginia.gov.

VIRGINIA RESEARCH AND TECHNOLOGY ADVISORY COMMISSION

NOTE: CHANGE IN MEETING TIME

September 20, 2005 - 12:30 p.m. -- Open Meeting
Greater Richmond Convention Center, 403 North 3rd Street, Richmond, Virginia.

E-mail Nancy Vorona for information and to participate in the meeting.

Contact: Nancy Vorona, VP Research Investment, CIT, Virginia Research and Technology Advisory Commission, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3043, FAX (703) 464-1720, e-mail nvorona@cit.org.

November 15, 2005 - 1 p.m. -- Open Meeting
NASA Langley Research Center/National Institute of Aerospace, Hampton, Virginia.

Tour at 10 a.m. Meeting will follow at 1 p.m. Lunch will be provided.

Contact: Nancy Vorona, VP Research Investment, CIT, Virginia Research and Technology Advisory Commission, 2214 Rock Hill Rd., Suite 600, Herndon, VA 20170, telephone (703) 689-3043, FAX (703) 464-1720, e-mail nvorona@cit.org.

VIRGINIA RESOURCES AUTHORITY

August 9, 2005 - 9 a.m. -- Open Meeting
Eighth and Main Building, 707 East Main Street, 2nd Floor, Richmond, Virginia.♿

A regular meeting of the Board of Directors to (i) review and, if appropriate, approve the minutes from the most recent monthly meeting; (ii) review the authority's operations for the prior month; (iii) review applications for loans submitted to the authority for approval; (iv) consider loan commitments for approval and ratification under its various programs; (v) approve the issuance of any bonds; (vi) review the results of any bond sales; and (vii) consider such other matters and take such other actions as it may deem appropriate. Various committees of the Board of Directors may also meet immediately before or after the regular meeting and consider matters within their purview. The planned agenda of the meeting and any committee meetings will be available at the offices of the authority one week prior to the date of the meeting. Any person who needs any accommodation in order to participate in the meeting should contact the authority at least 10 days before the meeting so that suitable arrangements can be made.

Contact: Bonnie R. C. McRae, Executive Assistant, Virginia Resources Authority, 707 E. Main St., Richmond, VA 23219, telephone (804) 644-3100, FAX (804) 644-3109, e-mail bmcrac@vra.state.va.us.

SEWAGE HANDLING AND DISPOSAL APPEAL REVIEW BOARD

August 10, 2005 - 10 a.m. -- Open Meeting
September 14, 2005 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.♿

October 19, 2005 - 10 a.m. -- Open Meeting
Dixon Powers Drive, 2nd Floor Environmental Health Conference, Richmond, Virginia.♿

A meeting to hear appeals of health department denials of septic tank permits.

Contact: Susan Sherertz, Secretary to the Board, Department of Health, 109 Governor St., 5th Floor, Richmond, VA 23219, telephone (804) 864-7464, FAX (804) 864-7475, e-mail susan.sherertz@vdh.virginia.gov.

VIRGINIA SMALL BUSINESS FINANCING AUTHORITY

August 17, 2005 - Noon -- Open Meeting
Department of Business Assistance, 707 East Main Street, 3rd Floor Board Room, Richmond, Virginia.♿

A meeting to review applications for loans submitted to the authority for approval and general business of the board. Time is subject to change depending upon the board's agenda.

Contact: Scott E. Parsons, Executive Director, Virginia Small Business Financing Authority, P.O. Box 446, Richmond, VA

23218-0446, telephone (804) 371-8256, FAX (804) 225-3384,
toll-free (866) 248-8814, e-mail
scott.parsons@dba.virginia.gov.

DEPARTMENT OF SOCIAL SERVICES

† **August 9, 2005 - 9 a.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, House
Room C, Richmond, Virginia. ♿

A business meeting of the Child Support Quadrennial
Guideline Review Panel.

Contact: Tara Outridge, Operations Support Coordinator,
Department of Social Services, 7 N 8th St., Richmond, VA
23219, telephone (804) 726-7431, e-mail
tara.outride@dss.virginia.gov.

STATE BOARD OF SOCIAL SERVICES

NOTE: CHANGE IN MEETING TIME

August 12, 2005 - 9:30 a.m. -- Open Meeting
Department of Social Services, 7 North 8th Street, 6th Floor,
Conference Room, Richmond, Virginia. ♿

New member orientation.

Contact: Pat Rengnerth, State Board Liaison, State Board of
Social Services, Office of Legislative and Regulatory Affairs, 7
N. 8th St., Room 5214, Richmond, VA 23219, telephone (804)
726-7905, FAX (804) 726-7906, (800) 828-1120/TTY ☎,
e-mail patricia.rengnerth@dss.virginia.gov.

August 17, 2005 - 9 a.m. -- Open Meeting

August 18, 2005 - 9 a.m. -- Open Meeting
Department of Social Services, 1701 High Street, Portsmouth,
Virginia. ♿

A regular meeting. Public comment will be received at
1:30 p.m.

Contact: Pat Rengnerth, State Board Liaison, State Board of
Social Services, Office of Legislative and Regulatory Affairs, 7
N. 8th St., Room 5214, Richmond, VA 23219, telephone (804)
726-7905, FAX (804) 726-7906, (800) 828-1120/TTY ☎,
e-mail patricia.rengnerth@dss.virginia.gov.

August 26, 2005 - Public comments may be submitted until
this date.

Notice is hereby given in accordance with § 2.2-4007 of the
Code of Virginia that the State Board of Social Services
intends to amend regulations entitled **22 VAC 40-740, Adult
Protective Services**. The purpose of the proposed action is
to provide guidelines to local departments of social services
for investigating reports and protecting the health, safety,
and welfare of the elderly and adults who are incapacitated
and to maximize statewide consistency in the
implementation of the adult protective services program
following comprehensive APS legislation in the 2004
General Assembly.

Statutory Authority: § 63.2-217 and Article 2 (§ 63.2-1603 et
seq.) of Chapter 16 of Title 54.1 of the Code of Virginia.

Contact: Sue Murdock, Adult Services Program Consultant,
Department of Social Services, 7 N. 8th St., Richmond, VA
23219, telephone (804) 726-7616, FAX (804) 726-7895 or e-
mail susan.murdock@dss.virginia.gov.

BOARD OF SOCIAL WORK

August 24, 2005 - 9 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Richmond, Virginia. ♿

A meeting to hear possible violations of the laws and
regulations governing the practice of social work.

Contact: Evelyn B. Brown, Executive Director, Board of
Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor,
Richmond, VA 23230-1712, telephone (804) 662-9914, FAX
(804) 662-7250, (804) 662-7197/TTY ☎, e-mail
evelyn.brown@dhp.virginia.gov.

September 16, 2005 - 10 a.m. -- Open Meeting
Department of Health Professions, 6603 West Broad Street,
5th Floor, Conference Room 1, Richmond, Virginia. ♿

A meeting to conduct regular board business.

Contact: Evelyn B. Brown, Executive Director, Board of
Social Work, Alcoa Bldg., 6603 W. Broad St., 5th Floor,
Richmond, VA 23230-1712, telephone (804) 662-9914, FAX
(804) 662-7250, (804) 662-7197/TTY ☎, e-mail
evelyn.brown@dhp.virginia.gov.

BOARD FOR PROFESSIONAL SOIL SCIENTISTS AND WETLAND PROFESSIONALS

October 12, 2005 - 10 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. ♿

A meeting to conduct board business. The meeting is open
to the public; however a portion of the board's business may
be discussed in closed session. All meetings are subject to
cancellation. The time of the meeting is subject to change.
Any person desiring to attend the meeting and requiring
special accommodations or interpreter services should
contact the board at least 10 days prior to the meeting so
suitable arrangements can be made. The board fully
complies with the Americans with Disabilities Act.

Contact: Mark N. Courtney, Executive Director, Board for
Professional Soil Scientists and Wetland Professionals, 3600
W. Broad St., Richmond, VA 23230, telephone (804) 367-
8514, FAX (804) 367-2475, (804) 367-9753/TTY ☎, e-mail
soilscientist@dpor.virginia.gov.

COUNCIL ON TECHNOLOGY SERVICES


August 25, 2005 - 2 p.m. -- Open Meeting
Department of Transportation, 1221 East Broad Street,
Auditorium, Richmond, Virginia. ♿

Calendar of Events


A regular meeting of the advisory council to the chief information officer of the Commonwealth on matters related to information technology in the Commonwealth.

Contact: Jennifer W. Hunter, Special Assistant for Communications/COTS Executive Director, Council on Technology Services, 411 E. Franklin St., Suite 500, Richmond, VA 23219, telephone (804) 343-9012, FAX (804) 343-9015, e-mail jenny.hunter@vita.virginia.gov.

VIRGINIA TOURISM AUTHORITY


August 9, 2005 - 2 p.m. -- Open Meeting
Berry Hill Plantation Resort, South Boston, Virginia. 

A meeting to discuss board strategies and tactics.

Contact: Winston Evans, Executive Assistant, Virginia Tourism Authority, 901 E. Byrd St., Richmond, VA 23219, telephone (804) 371-8174, FAX (804) 786-1919, (804) 371-0327/TTY , e-mail wevans@virginia.org.


COMMONWEALTH TRANSPORTATION BOARD

NOTE: CHANGE IN MEETING DATE

September 21, 2005 - 7 p.m. -- Open Meeting
McCoart Administrative Building, 1 County Complex, Prince William County Board of Supervisors Meeting Room, Prince William, Virginia. 

The third meeting of the I-95/395 PPTA Advisory Panel to consider two proposals for improvements to the I-95/395 corridor. Proceedings will be televised over the county's cable network. Public comments will be received.


Contact: Robert L. Trachy, Jr., Project Manager, Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-4263, e-mail larry.trachy@vdot.virginia.gov.

October 11, 2005 - 7 p.m. -- Open Meeting
1200 Government Center Parkway, Fairfax County Board of Supervisors Meeting Room, Fairfax, Virginia. 

The final meeting of the I-95/395 PPTA Advisory Panel to consider two proposals for improvements to the I-95/395 corridor. Public comment will not be received. Proceedings will be televised over the county's cable network.


Contact: Robert L. Trachy, Jr., Project Manager, Department of Transportation, 1401 E. Broad St., Richmond, VA 23219, telephone (804) 786-4263, FAX (804) 225-4700, or e-mail larry.trachy@vdot.virginia.gov.

TRANSPORTATION SAFETY BOARD


† August 11, 2005 - 9 a.m. -- Open Meeting
Department of Motor Vehicles, 2300 West Broad Street, Richmond, Virginia. 

FY 2006 federal grants review.

Contact: Audrey Odum, Management Analyst, Department of Motor Vehicles, P.O. Box 27412, Richmond, VA 23269-0001, telephone (804) 367-8140, FAX (804) 367-6631, toll-free (800)

272-9268, (800) 272-9268/TTY , e-mail audrey.odum@dmv.virginia.gov.

TREASURY BOARD

† August 17, 2005 - 9 a.m. -- Open Meeting
† September 21, 2005 - 9 a.m. -- Open Meeting
Department of the Treasury, 101 North 14th Street, 3rd Floor, Treasury Board Room, Richmond, Virginia. 

A regular meeting.

Contact: Melissa Mayes, Secretary, Department of the Treasury, 101 N. 14th St., 3rd Floor, Richmond, VA 23219, telephone (804) 371-6011, FAX (804) 786-0833, e-mail melissa.mayes@trs.virginia.gov.

DEPARTMENT OF VETERANS SERVICES


Joint Leadership Council of Veterans Service Organizations

† September 14, 2005 - 11 a.m. -- Open Meeting
Location to be determined.

A regular meeting.

Contact: Steven Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0294, e-mail steven.combs@dvs.virginia.gov.


Board of Veterans Services

† September 19, 2005 - 11 a.m. -- Open Meeting
Location to be announced; Richmond, Virginia. 

A regular meeting.

Contact: Steve Combs, Assistant to the Commissioner, Department of Veterans Services, 900 E. Main St., Richmond, VA 23219, telephone (804) 786-0294, e-mail steven.combs@dvs.virginia.gov.

BOARD OF VETERINARY MEDICINE

August 10, 2005 - 9 a.m. -- Public Hearing
Department of Health Professions, 6603 West Broad Street, 5th Floor, Board Room 1, Richmond, Virginia. 


September 23, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board of Veterinary Medicine intends to amend regulations entitled **18 VAC 150-20, Regulations Governing the Practice of Veterinary Medicine**. The purpose of the proposed action is to require a notice on a rabies certificate stating the 28-day waiting period for effectiveness.


Statutory Authority: § 54.1-2400 of the Code of Virginia.

Public comments may be submitted until September 23, 2005, to Elizabeth Carter, Ph.D., Executive Director, Board of Veterinary Medicine, 6603 West Broad Street, Richmond, VA 23230-1712.

Contact: Elaine J. Yeatts, Regulatory Coordinator, Department of Health Professions, 6603 W. Broad St., Richmond, VA 23230-1712, telephone (804) 662-9918, FAX (804) 662-9114 or e-mail elaine.yeatts@dhp.virginia.gov.


† **August 10, 2005 - 9:30 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Conference Room 1, Richmond, Virginia. 

A meeting to receive a report of Ad Hoc Committee on Lay Equine Dentistry and adoption of guidance document, budget review, adoption of final regulations for delegation of informal fact finding to agency subordinate; formal hearing; general board business.

Contact: Elizabeth A. Carter, Ph.D., Executive Director, Board of Veterinary Medicine, Alcoa Bldg., 6603 W. Broad St., 5th Floor, Richmond, VA 23230-1712, telephone (804) 662-9915, FAX (804) 662-9504, (804) 662-7197/TTY , e-mail elizabeth.carter@dhp.virginia.gov.

† **August 11, 2005 - 9 a.m.** -- Open Meeting
Department of Health Professions, 6603 West Broad Street, 5th Floor, Richmond, Virginia. 

Informal conferences (disciplinary hearings). These are public meetings, but public comment will not be received.

Contact: Terri Behr, Administrative Assistant, Department of Health Professions, 6603 W. Broad St., 5th Floor, Richmond, VA 23230, telephone (804) 662-9915, FAX (804) 662-7098, (804) 662-7197/TTY , e-mail terri.behr@dhp.virginia.gov.

BOARD FOR WASTE MANAGEMENT FACILITY OPERATORS

August 11, 2005 - 10:30 a.m. -- Public Hearing
Department of Profession and Occupational Regulation, 3600 West Broad Street, 4th Floor, Conference Room 4 West, Richmond, Virginia.

August 26, 2005 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Waste Management Facility Operators intends to amend regulations entitled **18 VAC 155-20, Waste Management Facility Operators Regulations**. The purpose of the proposed action is to (i) create a new license classification (Class V) for Municipal Solid Waste (MSW) composting facilities and move MSW composting from Class II to the new Class V; (ii) clarify that a waste management facility for which the board has not established training and licensure requirements may be operated by a Class I licensee; (iii) require applicants using experience to substitute for a high school diploma to have obtained that experience during the seven years immediately preceding the date of application; (iv) require applicants to document at least one year of experience with a waste management facility in order to qualify for licensure;

(v) repeal language requiring facility specific training to have been completed after January 1, 1989, and language concerning the first renewal after May 1, 2000, which assigned a single expiration date to all classes of license held by a single individual; (vi) require license renewal applicants to state that they are in compliance with all Virginia and federal laws and regulations; (vii) amend the training course curriculum section to be more reflective of current technology and training needs, to amend Class II training to remove MSW composting requirements, and to create a new curriculum for Class V MSW composting; and (viii) make renewing a license through fraudulent means or misrepresentation a ground for license denial and disciplinary action and to cite the provisions of § 54.1-204 of the Code of Virginia pertinent to applicants with criminal convictions.

Statutory Authority: § 54.1-2211 of the Code of Virginia.

Contact: David Dick, Executive Director, Board for Waste Management Facility Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-0219, FAX (804) 367-6128 or e-mail wastemtg@dpor.virginia.gov.

STATE WATER CONTROL BOARD

August 9, 2005 - 10 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 


A meeting of the advisory committee assisting in the development of amendments to the water quality standards to establish nutrient criteria for lakes. Meeting date is tentative and interested persons should confirm the meeting with the contact person.

Contact: Eleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, e-mail emdaub@deq.virginia.gov.

† **August 11, 2005 - 10 a.m.** -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

A public meeting to receive comments on the changes to the Regulation for Nutrient Enriched Waters and Dischargers within the Chesapeake Bay Watershed (9 VAC 25-40) and the Water Quality Management Planning Regulation (9 VAC 25-720).

Contact: John M. Kennedy, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4312, FAX (804) 698-4116, e-mail jmkennedy@deq.virginia.gov.

† **August 11, 2005 - 1 p.m.** -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. 

A public meeting to receive comments on the changes made to the proposed numerical chlorophyll a criteria for the James River (paragraph bb of 9 VAC 25-260-310) and the impact that the details and the conclusions of the James

Calendar of Events

River loading alternatives analysis have on the chlorophyll a criteria.

Contact: Eleanore Daub, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4111, FAX (804) 698-4116, e-mail emdaub@deq.virginia.gov.

August 25, 2005 - 9:30 a.m. -- Open Meeting

September 16, 2005 - 9:30 a.m. -- Open Meeting
Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A meeting of the advisory committee assisting in the development of amendments to the Virginia Water Protection Permit Regulation.

Contact: William K. Norris, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4022, FAX (804) 698-4224, e-mail wknorris@deq.virginia.gov.

August 30, 2005 - 10 a.m. -- Public Hearing

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

September 23, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled **9 VAC 25-115, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Seafood Processing Facilities**. The purpose of the proposed action is to reissue and amend, as necessary, the general VPDES permit which establishes limitations and monitoring requirements for point source discharges from seafood processing facilities.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Contact: Michael B. Gregory, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4065, FAX (804) 698-4032 or e-mail mbgregory@deq.virginia.gov.

August 30, 2005 - 10 a.m. -- Public Hearing

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

September 23, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled **9 VAC 25-193, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Ready-Mixed Concrete Plants**. The purpose of the proposed action is to amend the existing general VPDES permit to include appropriate and necessary permitting requirements for discharges of wastewater from concrete product facilities.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Contact: Burton Tuxford, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4086, FAX (804) 698-4032 or e-mail brtuxford@deq.virginia.gov.

August 30, 2005 - 10 a.m. -- Public Hearing

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia.

September 23, 2005 - Public comments may be submitted until this date.

Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the State Water Control Board intends to amend regulations entitled **9 VAC 25-810, General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Coin-Operated Laundry**. The purpose of the proposed action is to establish appropriate and necessary permitting requirements for discharges of wastewater from coin-operated laundries.

Statutory Authority: § 62.1-44.15 of the Code of Virginia.

Contact: George E. Cosby, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4067, FAX (804) 698-4032 or e-mail gec Cosby@deq.virginia.gov.

† August 31, 2005 - 9:30 a.m. -- Open Meeting

Department of Environmental Quality, Piedmont Regional Office, 4949-A Cox Road, Glen Allen, Virginia. ♿

A meeting of the advisory committee assisting in the development of a General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia.

Contact: Allan Brockenbrough, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, telephone (804) 698-4147, FAX (804) 698-4032, e-mail abrockenb@deq.virginia.gov.

BOARD FOR WATERWORKS AND WASTEWATER WORKS OPERATORS

August 11, 2005 - 9 a.m. -- Public Hearing

Department of Profession and Occupational Regulation, 3600 West Broad Street, 4th Floor, Conference Room 4 West, Richmond, Virginia.

August 26, 2005 - Public comments may be submitted until this date.


Notice is hereby given in accordance with § 2.2-4007 of the Code of Virginia that the Board for Waterworks and Wastewater Works Operators intends to amend regulations entitled **18 VAC 160-20, Board for Waterworks and Wastewater Works Operators**. The purpose of the proposed action is to allow applicants that meet all of the board's license qualification requirements except for experience at a classified facility to sit for the board's

examination. Those so qualified who do pass the examination will be issued a conditional license. A full license will be issued upon receipt of documentation of half of the classified facility experience from a conditional license holder. The public health, safety and welfare will benefit from a larger pool of qualified individuals that can more quickly become licensed to operate a classified facility and from the operation of nonclassified facilities by those who have met the standards set by the board's regulations. The goal is to allow individuals who are technically qualified but who have not obtained experience at a classified facility operated under the oversight of the Virginia Department of Health or the Virginia Department of Environmental Quality to sit for the board's examination. The board expects a disproportionately large number of operator retirements in the coming years and feels that this amendment will create a pool of qualified individuals that can become licensed after a relatively short period of employment at a classified facility. Costs to the facilities (many of which are publicly owned and funded) to recruit replacements should be reduced as a result.


Conditional licensees operating nonclassified facilities would be under the disciplinary authority of the board. The board can take action against a conditional license holder should his operation cause an adverse affect to the consuming public or to the classified facilities receiving his treated waste.

Statutory Authority: § 54.1-2301 of the Code of Virginia.

Contact: David Dick, Executive Director, Board for Waste Management Facility Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-0219, FAX (804) 367-6128 or e-mail wastemtg@dpor.virginia.gov.


September 14, 2005 - 8:30 a.m. -- Open Meeting
Department of Professional and Occupational Regulation,
3600 West Broad Street, Richmond, Virginia. 

A meeting to conduct board business. The meeting is open to the public; however, a portion of the board's business may be discussed in closed session. Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the department at least 10 days prior to the meeting so that suitable arrangements can be made. The department fully complies with the Americans with Disabilities Act.

Contact: David E. Dick, Executive Director, Board for Waterworks and Wastewater Works Operators, 3600 W. Broad St., Richmond, VA 23230, telephone (804) 367-8507, FAX (804) 367-6128, (804) 367-9753/TTY , e-mail waterwasteoper@dpor.virginia.gov.

INDEPENDENT

STATE LOTTERY BOARD


† **September 7, 2005 - 9:30 a.m.** -- Open Meeting
Virginia Lottery Department, 900 East Main Street, 13th Floor,
Richmond, Virginia. 

A regular meeting to conduct routine business. There will be an opportunity for public comment shortly after the meeting is convened.


Contact: Frank S. Ferguson, Director, Legislative and Regulatory Affairs, Virginia Lottery Department, 900 E. Main St., Richmond, VA 23219, telephone (804) 692-7901, FAX (804) 692-7905, e-mail fferguson@valottery.state.va.us.

VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY


Board for Protection and Advocacy

September 20, 2005 - 9 a.m. -- Open Meeting
Virginia Office for Protection and Advocacy, Byrd Building,
1910 Byrd Avenue, Suite 5, Richmond, Virginia.  (Interpreter for the deaf provided upon request)

Public comment is welcomed and will be accepted at the start of the meeting. If you wish to provide public comment via telephone, or if interpreter services or other accommodations are required, please contact Lisa Shehi no later than Tuesday, July 5, 2005.


Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, VA 23230, telephone (804) 225-2042, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail lisa.shehi@vopa.virginia.gov.

PAIMI Advisory Council

August 11, 2005 - 10 a.m. -- Open Meeting
Albemarle County Office Building, 1600 5th Street, Meeting
Room B, Charlottesville, Virginia.  (Interpreter for the deaf provided upon request)

Public comment is welcome and will be received at the beginning of the meeting. Public comment will also be accepted by telephone. If you wish to provide public comment via telephone, you must call Lisa Shehi, Administrative Assistant at 1-800-552-3962 (Voice/TTY) or via e-mail at lisa.shehi@vopa.virginia.gov no later than July 28, 2005. Ms. Shehi will take your name and phone number and you will be telephoned during the public comment period. Please visit the Virginia Office for Protection and Advocacy website for directions. For further information, please contact Ms. Shehi. If interpreter services or other accommodations are required, please contact Ms. Shehi, no later than July 28, 2005.

For those needing interpreter services or other accommodations, please contact Delicia (Dee) Vance by July 29, 2005.

Contact: Lisa Shehi, Administrative Assistant, Virginia Office for Protection and Advocacy, 1910 Byrd Avenue, Suite 5, Richmond, Virginia 23230, telephone (804) 662-7213, FAX (804) 662-7431, toll-free (800) 552-3962, (804) 225-2042/TTY , e-mail lisa.shehi@vopa.virginia.gov.

Calendar of Events

† **November 3, 2005 - 10 a.m.** -- Open Meeting
Albemarle County Office Building, 1600 5th Street, Meeting Room B, Charlottesville, Virginia. (Interpreter for the deaf provided upon request)

Public comment is welcome and will be received at the beginning of the meeting. For those needing interpreter services or other accommodations, please contact Delicia (Dee) Vance by October 20, 2005.

Contact: Delicia (Dee) Vance, Outreach Advocate, Virginia Office for Protection and Advocacy, 1910 Byrd Ave., Suite 5, Richmond, Virginia 23230, telephone (804) 662-7099, FAX (804) 662-7057, toll-free (800) 552-3962, (804) 225-2042/TTY, e-mail delicia.vance@vopa.virginia.gov.

VIRGINIA RETIREMENT SYSTEM

August 16, 2005 - Noon -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia.

A regular meeting of the Optional Retirement Plan Advisory Committee. No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main Street, Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, or e-mail lking@vrs.state.va.us.

August 17, 2005 - 2:30 p.m. -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia.

Meetings of the following committees:

- 11 a.m. - Investment Advisory - CANCELED
- 2:30 p.m. - Benefits and Actuarial - CANCELED
- 4 p.m. - Audit and Compliance
- 4 p.m. - Administration and Personnel

No public comment will be received.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, e-mail lking@vrs.state.va.us.

August 18, 2005 - 8:30 a.m. -- Open Meeting

October 12, 2005 - 9 a.m. -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia.

A regular meeting of the Board of Trustees. No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, or e-mail lking@vrs.state.va.us.

NOTE: CHANGE IN MEETING DATE AND TIME

August 18, 2005 - 8:30 a.m. -- Open Meeting
Location to be determined.

The Board of Trustees annual retreat. Details will be posted at a later date.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, e-mail lking@vrs.state.va.us.

October 12, 2005 - 10 a.m. -- Open Meeting

† **November 8, 2005 - 1 p.m.** -- Open Meeting
Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia.

A regular meeting of the Benefits and Actuarial Committee. No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, or e-mail lking@vrs.state.va.us.

† **November 8, 2005 - 3:30 p.m.** -- Open Meeting

Virginia Retirement System Headquarters Building, 1200 East Main Street, Richmond, Virginia.

A regular meeting of the Audit and Compliance Committee. No public comment will be received at the meeting.

Contact: LaShaunda B. King, Executive Assistant, Virginia Retirement System, 1200 E. Main St., Richmond, VA 23219, telephone (804) 649-8059, FAX (804) 786-1541, toll-free (888) 827-3847, (804) 344-3190/TTY, or e-mail lking@vrs.state.va.us.

LEGISLATIVE

JOINT COMMISSION ON ADMINISTRATIVE RULES

August 10, 2005 - 1 p.m. -- CANCELED

General Assembly Building, 9th and Broad Streets, Senate Room A, Richmond, Virginia.

The August 10 meeting will be rescheduled. For questions regarding the meeting, contact Elizabeth Palen, Division of Legislative Services, (804) 786-3591.

Contact: Nathan Hatfield, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

JOINT SUBCOMMITTEE ON ADOPTION LAWS AND POLICIES

September 12, 2005 - 10 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia.

A regular meeting. For questions regarding the meeting agenda, contact Jeff Gore or Jescey French, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should telephone Senate Committee Operations at (804) 698-7450, (804) 698-7419/TTY, or write to Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, at least seven days prior to the meeting.

Contact: Patty Lung, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

VIRGINIA CODE COMMISSION

August 17, 2005 - 10 a.m. -- Open Meeting

September 21, 2005 - 10 a.m. -- Open Meeting

October 19, 2005 - 10 a.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, 6th Floor, Speaker's Conference Room, Richmond, Virginia. ♿

A meeting to continue work on the 2007 Code of Virginia reorganization project and the Title 3.1 recodification.

Contact: Jane Chaffin, Registrar of Regulations, Virginia Code Commission, General Assembly Building, 2nd Floor, 910 Capitol Street, Richmond, VA 23219, telephone (804) 786-3591, FAX (804) 692-0625 or e-mail jchaffin@leg.state.va.us.

JOINT SUBCOMMITTEE STUDYING CONFLICTS OF INTERESTS AND LOBBYIST DISCLOSURE FILINGS

† **August 22, 2005 - 1 p.m.** -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

A regular meeting. For questions regarding the meeting agenda, contact Amigo Wade or Jeff Sharp, Division of Legislative Services, (804) 786-3591.

Contact: Barbara L. Teague, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

August 31, 2005 - 1 p.m. -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. ♿

An agenda for the meeting will be posted as soon as it is available.

Contact: Maria Everett, Executive Director, Virginia Freedom of Information Advisory Council, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 255-3056, FAX (804) 371-0169, toll-free (866) 448-4100.

HOUSE AND SENATE FINANCE COMMITTEES

August 29, 2005 - Noon -- Open Meeting

General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. ♿

A meeting of the House and Senate Subcommittees on Land Conservation Tax Credit. A public hearing will begin at 12:45 p.m. Any questions about the agenda for the meeting or the public hearing should be addressed to Joan Putney or David Rosenberg in the Division of Legislative Services, (804) 786-3591. If you are unable to attend this meeting or if our office may be of assistance, please call (804) 698-1540.

Contact: Joan Putney or David Rosenberg, Division of Legislative Services, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591.

VIRGINIA INDIGENT DEFENSE COMMISSION

† **August 24, 2005 - 2 p.m.** -- Open Meeting

Virginia Indigent Defense Commission, 701 East Franklin Street, Suite 1416, Richmond, Virginia. ♿

A regular meeting.

Contact: Danita Pryor, Office Manager, Virginia Indigent Defense Commission, 701 E. Franklin St., Suite 1416, Richmond, VA 23219, telephone (804) 225-3297, FAX (804) 371-8326, e-mail dpryor@idc.virginia.gov.

JOINT SUBCOMMITTEE ON MANUFACTURING NEEDS AND THE FUTURE OF MANUFACTURING IN VIRGINIA

† **August 25, 2005 - 1 p.m.** -- Open Meeting

Volvo Trucks - North America, 4881 Cougar Trail Road, Dublin, Virginia. ♿

A regular meeting. For questions regarding the meeting agenda, contact Frank Munyan, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should telephone Senate Committee Operations at (804) 698-7450, (804) 698-7419/TTY, or write to Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, at least seven days prior to the meeting.

Contact: Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

Calendar of Events


JOINT SUBCOMMITTEE STUDYING MEDICAL, ETHICAL, AND SCIENTIFIC ISSUES RELATING TO STEM CELL RESEARCH

August 17, 2005 - 10 a.m. -- Open Meeting
September 21, 2005 - 10 a.m. -- Open Meeting
November 15, 2005 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

A regular meeting. For questions regarding the meeting agenda, contact Norma Szakal or Amy Marschean, Division of Legislative Services, (804) 786-3591.

Contact: Barbara L. Regen, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.


JOINT COMMISSION ON TECHNOLOGY AND SCIENCE

September 12, 2005 - 10 a.m. -- Open Meeting
October 18, 2005 - 10 a.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A meeting of the JCOTS Emerging Technology Issues Advisory Committee.


Contact: Lisa Wallmeyer, Executive Director, Joint Commission on Technology and Science, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, e-mail lwallmeyer@leg.state.va.us.

NOTE: CHANGE IN MEETING TIME

September 14, 2005 - 1 p.m. -- Open Meeting
October 19, 2005 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 


A meeting of the JCOTS Nanotechnology Advisory Committee.

Contact: Lisa Wallmeyer, Executive Director, Joint Commission on Technology and Science, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, e-mail lwallmeyer@leg.state.va.us.

October 11, 2005 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A meeting of the JCOTS Integrated Government Advisory Committee.


Contact: Lisa Wallmeyer, Executive Director, Joint Commission on Technology and Science, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, e-mail lwallmeyer@leg.state.va.us.

October 12, 2005 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room D, Richmond, Virginia. 

A meeting of the JCOTS Privacy Advisory Committee.

Contact: Lisa Wallmeyer, Executive Director, Joint Commission on Technology and Science, 910 Capitol St., 2nd Floor, Richmond, VA 23219, telephone (804) 786-3591, e-mail lwallmeyer@leg.state.va.us.

JOINT SUBCOMMITTEE STUDYING THE VEHICLE TOWING AND RECOVERY INDUSTRY


† **September 12, 2005 - 2 p.m.** -- Open Meeting
General Assembly Building, 9th and Broad Streets, Senate Room B, Richmond, Virginia. 

A regular meeting. For questions regarding the meeting agenda, contact Alan Wambold, Division of Legislative Services, (804) 786-3591. Individuals requiring interpreter services or other accommodations should telephone Senate Committee Operations at (804) 698-7450, (804) 698-7419/TTY, or write to Senate Committee Operations, P.O. Box 396, Richmond, VA 23218, at least seven days prior to the meeting.

Contact: Hobie Lehman, Senate Committee Operations, General Assembly Bldg., 910 Capitol St., Richmond, VA 23219, telephone (804) 698-7410.

JOINT SUBCOMMITTEE STUDYING THE VOTING EQUIPMENT CERTIFICATION PROCESS

NOTE: CHANGE IN MEETING TIME

August 22, 2005 - 12:30 p.m. -- Open Meeting
November 21, 2005 - 1 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

A regular meeting. For questions regarding the meeting agenda, contact Mary Spain or Jack Austin, Division of Legislative Services, (804) 786-3591.

Contact: Barbara L. Regen, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

JOINT SUBCOMMITTEE STUDYING WORKFORCE DEVELOPMENT TRAINING RESOURCES

August 30, 2005 - 10 a.m. -- Open Meeting
September 21, 2005 - 10 a.m. -- Open Meeting
November 15, 2005 - 2 p.m. -- Open Meeting
General Assembly Building, 9th and Broad Streets, House Room C, Richmond, Virginia. 

A regular meeting. For questions regarding the meeting agenda, contact Frank Munyan, Division of Legislative Services, (804) 786-3591.

Contact: Lois V. Johnson, House Committee Operations, 910 Capitol St., Richmond, VA 23219, telephone (804) 698-1540.

CHRONOLOGICAL LIST

OPEN MEETINGS

August 8

Agriculture and Forestry, Secretary of
Economic Development Partnership, Virginia

August 9

Agriculture and Forestry, Secretary of
Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
Chesapeake Bay Local Assistance Board
Environmental Quality, Department of
Jamestown-Yorktown Foundation
† Museum of Fine Arts, Virginia
Nursing, Board of
Resources Authority, Virginia
† Social Services, Department of
Tourism Authority, Virginia
Water Control Board, State

August 10

Air Pollution Control Board, State
Contractors, Board for
Information Technologies Agency, Virginia
- Information Technology Investment Board
Medicine, Board of
† Motor Vehicles, Department of
- Medical Advisory Board
Sewage Handling and Disposal Appeal Review Board
† Veterinary Medicine, Board of

August 11

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Cemetery Board
Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Committee
† Contractors, Board for
† Counseling, Board of
Medical Assistance Services, Department of
Olmstead Oversight Advisory Committee
Protection and Advocacy, Virginia Office for
- PAIMI Advisory Council
† Real Estate Appraiser Board
† Real Estate Board
† Transportation Safety Board, Virginia
† Veterinary Medicine, Board of
† Water Control Board, State

August 12

Accountancy, Board of
† Counseling, Board of
Dentistry, Board of
Social Services, State Board of

August 15

† Agriculture and Consumer Services, Department of
- Virginia State Apple Board
Alcoholic Beverage Control Board
Barbers and Cosmetology, Board for
† Old Dominion University

August 16

† Contractors, Board for
Environmental Quality, Department of
Medicine, Board of
Nursing, Board of
Retirement System, Virginia

August 17

Asbestos, Lead, and Home Inspectors, Virginia Board for
Aviation Board, Virginia
Code Commission, Virginia
† Funeral Directors and Embalmers, Board of
Milk Commission, State
Retirement System, Virginia
Small Business Financing Authority, Virginia
Social Services, State Board of
Stem Cell Research, Joint Subcommittee Studying Medical,
Ethical, and Scientific Issues Relating to
† Treasury Board

August 18

Design-Build/Construction Management Review Board
† Pharmacy, Board of
Retirement System, Virginia
Social Services, State Board of

August 19

† Agriculture and Consumer Services, Department of
- Virginia Egg Board
Fire Services Board, Virginia
Health Professions, Department of
- Health Practitioners Intervention Program Committee
Medicine, Board of
Physical Therapy, Board of

August 20

Fire Services Board, Virginia

August 22

† Conflicts of Interest and Lobbyist Disclosure Filings, Joint
Subcommittee Studying
Voting Equipment Certification Process, Joint
Subcommittee Studying the

August 23

Agriculture and Consumer Services, Department of
- Virginia Soybean Board
† Contractors, Board for
Marine Resources Commission
Nursing, Board of
Olmstead Oversight Advisory Committee
† Pharmacy, Board of
Psychology, Board of
Real Estate Appraiser Board

August 24

† Agriculture and Forestry, Secretariat of
† Compensation Board
† Indigent Defense Commission, Virginia
Medicine, Board of
Nursing and Medicine, Joint Boards of
† Public Safety, Secretary of
Social Work, Board of

August 25

Contractors, Board for
† Manufacturing Needs and the Future of Manufacturing in
Virginia, Joint Subcommittee on
Nursing, Board of
Technology Services, Council on

Calendar of Events

Water Control Board, State

August 26

Dentistry, Board of

August 29

Agriculture and Consumer Services, Department of

- Virginia Agricultural Council

Alcoholic Beverage Control Board

† Hearing Aid Specialists, Board for

House and Senate Finance Committees

August 30

† Agriculture and Consumer Services, Department of

- Virginia Agricultural Council

- Virginia Irish Potato Board

† Contractors, Board for

† Environmental Quality, Department of

Nursing, Board of

Workforce Development and Training Resources, Joint

Subcommittee Studying

August 31

† Agriculture and Forestry, Secretariat of

† Corrections, Board of

Freedom of Information Advisory Council, Virginia

† Medical Assistance Services, Department of

People with Disabilities, Virginia Board for

† Water Control Board, State

September 1

People with Disabilities, Virginia Board for

Polygraph Examiners Advisory Board

September 7

Lottery Board

† Nursing, Board of

September 8

Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for

Barbers and Cosmetology, Board for

Child Day-Care Council

Conservation and Recreation, Department of

- Falls of the James Scenic River Advisory Committee

Criminal Justice Services Board

Information Technologies Agency, Virginia

- Information Technology Investment Board

September 9

Art and Architectural Review Board

Child Fatality Review Team, State

† Old Dominion University

September 12

Adoption Laws and Policies, Joint Subcommittee on

Alcoholic Beverage Control Board

Technology and Science, Joint Commission on

† Vehicle Towing and Recovery Industry, Joint
Subcommittee Studying the

September 13

† Contractors, Board for

† Funeral Directors and Embalmers, Board of

Gaming Board, Charitable

Land Evaluation Advisory Council, State

Medical Assistance Services, Board of

Medicine, Board of

Olmstead Oversight Advisory Committee

Pharmacy, Board of

September 14

At-Risk Youth and Families, Comprehensive Services for
Community Colleges, State Board for
Information Technologies Agency, Virginia

- E-911 Wireless Services Board

Labor and Industry, Department of

- Virginia Apprenticeship Council

Olmstead Oversight Advisory Committee

Real Estate Appraiser Board

Sewage Handling and Disposal Appeal Review Board

Technology and Science, Joint Commission on

† Veterans Services, Department of

Waterworks and Wastewater Works Operators, Board for

September 15

Community Colleges, State Board for

Conservation and Recreation, Department of

- Virginia Soil and Water Conservation Board

Design-Build/Construction Management Review Board

Real Estate Board

September 16

Correctional Education, Board of

Dentistry, Board of

† Medicine, Board of

Social Work, Board of

Water Control Board, State

September 17

Blind and Vision Impaired, Department for the

- Statewide Rehabilitation Council for the Blind

September 19

† Business Assistance, Department of

- Small Business Advisory Board

Chesapeake Bay Local Assistance Board

Library Board, State

Nursing, Board of

Professional and Occupational Regulation, Board for

† Veterans Services, Department of

- Board of Veterans Services

September 20

Alzheimer's Disease and Related Disorders Commission

Corrections, Board of

Nursing, Board of

Protection and Advocacy, Virginia Office for

- Board for Protection and Advocacy

Research and Technology Advisory Commission, Virginia

September 21

Code Commission, Virginia

Corrections, Board of

Education, Board of

Medical Assistance Services, Department of

Nursing, Board of

Stem Cell Research, Joint Subcommittee Studying Medical,
Ethical and Scientific Issues Relating to

Transportation Board, Commonwealth

† Treasury Board

Workforce Development Training Resources, Joint

Subcommittee Studying

September 22

Nursing, Board of

September 23

Health, Department of

- Hemophilia Advisory Board

September 26

Alcoholic Beverage Control Board

September 27

Marine Resources Commission

September 28

Air Pollution Control Board, State
- Small Business Environmental Compliance Advisory Board

September 29

Public Guardian and Conservator Advisory Board, Virginia

September 30

† Rehabilitative Services, Department of
- Commonwealth Neurotrauma Initiative Trust Fund Advisory Board

October 4

Nursing, Board of

October 5

Information Technology Agency, Virginia
- Information Technology Investment Board

October 6

Auctioneers Board

October 7

Art and Architectural Review Board

October 11

Alcoholic Beverage Control Board
Nursing, Board of
Psychology, Board of
Technology and Science, Joint Commission on
Transportation Board, Commonwealth

October 12

Geology, Board for
Jamestown-Yorktown Foundation
Environmental Quality, Department of
- Litter Control and Recycling Fund Advisory Board
Nursing Home Administrators, Board of
Retirement System, Virginia
Soil Scientists and Wetland Professionals, Board for
Technology and Science, Joint Commission on

October 13

Conservation and Recreation, Department of
- Falls of the James Scenic River Advisory Committee
Olmstead Oversight Advisory Committee

October 17

Nursing, Board of

October 18

Contractors, Board for
Nursing, Board of
Technology and Science, Joint Commission on

October 19

Cemetery Board
Code Commission, Virginia
Nursing and Medicine, Joint Boards of
Sewage Handling and Disposal Appeal Review Board
Technology and Science, Joint Commission on

October 20

Design-Build/Construction Management Review Board
Nursing, Board of

October 21

Health, Department of
Health Professions, Department of
- Health Practitioners Intervention Program Committee

October 24

Alcoholic Beverage Control Board
† Old Dominion University

October 25

Chesapeake Bay Local Assistance Board
Nursing, Board of

October 26

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for

October 28

† Physical Therapy, Board of

October 31

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Barbers and Cosmetology, Board of

November 1

† Branch Pilots, Board for
† Real Estate Appraiser Board

November 2

† Asbestos, Lead, and Home Inspectors, Virginia Board for

November 3

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Counseling, Board of
† Protection and Advocacy, Virginia Office for

November 4

† Art and Architectural Review Board
† Counseling, Board of
† Opticians, Board for

November 7

† Alcoholic Beverage Control Board
† Hearing Aid Specialists, Board for

November 8

† Architects, Professional Engineers, Land Surveyors,
Certified Interior Designers and Landscape Architects,
Board for
† Retirement System, Virginia

November 15

Research and Technology Advisory Commission, Virginia
Stem Cell Research, Joint Subcommittee Studying Medical,
Ethical and Scientific Issues Relating to
Workforce Development Training Resources, Joint
Subcommittee Studying

November 21

Voting Equipment Certification Process, Joint
Subcommittee Studying the

PUBLIC HEARINGS

August 9

† Mental Health, Mental Retardation and Substance Abuse
Services, Department of

August 10

Mental Health, Mental Retardation and Substance Abuse
Services, Department of
Veterinary Medicine, Board of

August 11

† Mental Health, Mental Retardation and Substance Abuse
Services, Department of

Calendar of Events

Waste Management Facility Operators, Board for
Waterworks and Wastewater Works Operators, Board for

August 12

† Mental Health, Mental Retardation and Substance Abuse
Services, Department of

August 15

Barbers and Cosmetology, Board for

August 17

Air Pollution Control Board, State

August 23

† Air Pollution Control Board

August 30

Water Control Board, State

September 8

Criminal Justice Services Board

September 21

† Education, Board of

November 9

Juvenile Justice, Board of